

The Gazette of India

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NOTICE

The under mentioned Gazettes of India Extraordinary were published upto the 13th September 1961 :—

Issue No.	No. and Date	Issued by	Subject
236.	S.O. 2192, dated 8th September, 1961.	Ministry of Finance	Scheme for amalgamation of the Catholic Bank Ltd., Mangalore, with the Canara Industrial and Banking Syndicate Ltd.
	S.O. 2193, dated 8th September, 1961.	Do.	Direction that order of moratorium in respect of Catholic Bank Ltd., Mangalore, shall be in force upto 10th September, 1961.
	S.O. 2194, dated 8th September, 1961.	Do.	Specification of 11th September 1961 as the date in relation to the amalgamation of the Banks referred to in S.O. 2192 above.
237.	S.O. 2195, dated 12th September, 1961.	Do.	Scheme for the amalgamation of Jodhpur Commercial Bank Ltd., with the Central Bank of India Ltd.
	S.O. 2196, dated 12th September, 1961.	Do.	Extending the period of moratorium in respect of Jodhpur Commercial Bank Ltd., Jodhpur, upto 15th October, 1961.
	S.O. 2197, dated 12th September, 1961.	Do.	Specification of 16th October, 1961, as the date in relation to the amalgamation of the Banks referred to in S.O. 2195 above.

Issue No.	No and Date	Issued by	Subject
238	S O 2242, dated 12th September, 1961	Ministry of Steel, Mines and Fuel	Notice to acquire lands specified therein
	S O 2243, dated 12th September, 1961.	Do	Notice to acquire lands specified therein
239	S O 2244, dated 13th September, 1961	Ministry of Information and Broadcasting	Approval of films specified therein

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 12th September 1961

S.O. 2249.—In exercise of the powers conferred by sub-section (1) of Section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission, in consultation with the Delhi Administration, hereby nominates Shri R. K. Baweja, P.C.S., Secretary, Law and Judicial Delhi Administration, as the Chief Electoral Officer for the Union Territory of Delhi, from the 5th September, 1961 and until further orders.

[No 154/16/61]

S.O. 2250.—In exercise of the powers conferred by sub-section (1) of section 13(b) and sub-section (1) of section 13(c) of the Representation of the People Act 1950 and in supersession of the Commission's Notifications Nos 429/18/56 and 429/17/58(1), dated the 31st December, 1956 and 22nd September, 1959 respectively the Election Commission hereby appoints in respect of each of the Parliamentary constituencies in the Union Territory of Tripura specified in column 1 of the Table below—

- (a) the Officer designated in the corresponding entry in Column 2 of the said Table to be the Electoral Registration Officer, and
- (b) the Officer designated in the corresponding entry in column 3 of the said Table to be the Assistant Electoral Registration Officer —

TABLE

Name of the constituency	Electoral Registration Officer	Assistant Electoral Registration Officer
1	2	3
Tripura West	District Magistrate, Tripura	1 Sub-Divisional Officer, Sadar. 2 Sub-Divisional Officer, Udaipur. 3. Additional Sub-Divisional Officer, Soramura 4 Additional Sub-Divisional Officer, Udaipur. 5. Additional Sub-Divisional Officer, Sadar. 6. Additional Sub-Divisional Officer, Belonia.

1

3

3

Tripura East	District Magistrate, Tripura	<ol style="list-style-type: none"> 1. Sub-Divisional Officer, Khowai. 2. Sub-Divisional Officer, Kailasahar. 3. Additional Sub-Divisional Officer, Kamalpur. 4. Additional Sub-Divisional Officer, Kailasahar. 5. Additional Sub-Divisional Officer, Dharamagar. 6. Additional Sub-Divisional Officer, Amarpur. 7. Additional Sub-Divisional Officer, Sabroom.
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[No. 429/18/61.]

By Order,

PRAKASH NARAIN, Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 19th August, 1961.

S.O. 2251.—In exercise of the powers conferred by sub-section (1) of section 4 of the Foreign Jurisdiction Act, 1947 (47 of 1947), and of all other powers enabling in this behalf, the Central Government hereby orders that Parliamentary Secretaries and Vice-Presidents of the Representative Assembly of the State of Pondicherry shall receive a remuneration of Rs. 100 per month in addition to the salary and allowances admissible to a Member of the said Assembly under the State of Pondicherry (Salaries and Allowances of Members of the Representative Assembly) Order, 1955, published with the notification of the Government of India in the Ministry of External Affairs No. S.R.O. (F. 10-103/55-GP) [FJA-4(1)], dated the 2nd January, 1956.

2. The orders hereby made shall be deemed to have come into force on the 30th July, 1957, in the case of Parliamentary Secretaries and on the 11th October, 1956 in the case of Vice-Presidents.

[No. 517-POND/61.]

R. BHANDARI, Dy. Secy.

MINISTRY OF FINANCE

(Department of Expenditure)

New Delhi, the 12th September 1961

S.O. 2252.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following regulations further to amend the Civil Service Regulations, namely:—

- (1) These regulations may be called the Civil Service (Thirteenth Amendment) Regulations, 1961.
- (2) In the Civil Service Regulations in Note below article 51, for the words "Indian Army" the words "Army, Navy and Air Force" shall be substituted.

[No. F. 2(16)-EVA/61.]

C. K. SUBRAMANIAN, Under Secy.

(Department of Economic Affairs)

New Delhi, the 14th September, 1961

S.O. 2253.—In exercise of the powers conferred by sub-section (2) of Section 45 of the Banking Companies Act (10 of 1949), the Central Government hereby extends the period of moratorium granted by it in respect of the Pratap Bank Ltd., Delhi, up to and including the 31st October, 1961.

[No. F. 4(118)-BC/61(I).]

S.O. 2254.—In exercise of the powers conferred by sub-section (2) of section 45 of the Banking Companies Act (10 of 1949), the Central Government hereby extends the period of moratorium granted by it in respect of the Narang Bank of India Ltd., New Delhi, up to and including the 31st October, 1961.

[No. F. 4(118)-BC/61(II).]

New Delhi, the 16th September, 1961

S.O. 2255.—In exercise of the powers conferred by sub-section (2) of section 45 of the Banking Companies Act (10 of 1949), the Central Government hereby extends the period of moratorium granted by it in respect of the Karur Mercantile Bank Ltd., Karur, up to and including the 22nd October, 1961.

[No. F. 4(120)-BC/61(I).]

New Delhi, the 18th September, 1961.

S.O. 2256.—In exercise of the powers conferred by sub-section (2) of section 45 of the Banking Companies Act, 1949 (10 of 1949), the Central Government hereby extends the period of moratorium granted by it in respect of the R.V. Bank (Private) Ltd., up to and including the 26th November, 1961.

[No. F. 4(120)-BC/61(II).]

| CORRIGENDUM

New Delhi, the 18th September, 1961

S.O. 2257.—For the words "Advances considered good and readily realisable and/or bad or doubtful of recovery" occurring in clause (g) of paragraph (4) I of the scheme of amalgamation of the Satara Swadeshi Commercial Bank with the United Western Bank published in Part II Section 3 sub-section (ii) of the Gazette of India Extraordinary, dated the 1st September, 1961, as S.O. 2108, read "Advances considered good and readily realisable" and "Advances considered not readily realisable and/or bad or doubtful of recovery".

[No. F. 4(110)-BC/61.]

R. K. SESHADRI, Dy. Secy.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 8th day of September 1961

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	8,92,64,000		A. Gold Coin and Bullion :—		
Notes in circulation	1898,86,47,000		(a) Held in India	117,76,03,000	
Total Notes issued		1907,79,11,000	(b) Held outside India . . . .	..
			Foreign Securities	116,86,07,000	
			TOTAL OF A		234,62,10,000
			B. Rupee Coin		124,60,51,000
			Government of India Rupee		
			Securities		1548,56,50,000
			Internal Bills of Exchange and		
			other commercial paper . . . .		..
TOTAL LIABILITIES . . . .	..	1907,79,11,000	TOTAL ASSETS		1907,79,11,000

B. VENKATAPPIAH, Dy. Governor.

Dated the 13th day of September, 1961.

[No. F.3(2)-BC/61.]

A. BAKSI, Jt. Secy.

(Department of Revenue)

INCOME-TAX ESTABLISHMENT

New Delhi, the 16th September 1961

S.O. 2259.—Consequent on this posting as Income-tax Officer, Class I, in the charge of the Commissioner of Income-tax, West Bengal, Calcutta, the powers conferred on Shri K. C. Mahadevan, by the Ministry of Finance (Department of Revenue) Notification No. 299-Income-tax Establishments, dated the 19th December, 1959, are hereby withdrawn.

[No. 278.]

S.O. 2260.—In pursuance of clause (b) of sub-rule (ii) of rule 2 of the Appellate Tribunal Rules, 1946, the Central Government has been pleased to appoint Shri P. D. Kher, Income-tax Officer, Class I, as Authorised Representative, Income-tax Appellate Tribunal with effect from 7th July, 1961, (F.N.) to appear, plead and act for any Income-tax authority who is a party to any proceedings before the Income-tax Appellate Tribunal.

[No. 279.]

S.O. 2261.—Consequent on their posting as Income-tax Officers, Class I, in the charge of Commissioner of Income-tax noted against each, the powers conferred on the following officers by the Ministry of Finance (Department of Revenue) Notification noted against their names, are hereby withdrawn:—

Name of the Officer.	C.I.T.'s charge to which posted as I.T.O.	No. and date of the notification.
1. Shri A.N. Mehrotra	West Bengal	Income-tax Establishments Notification No. 296, dated the 9th November 1960.
2. „ N.V. Karandikar	Bombay City	No. 195, dated the 12th July, 1961.
3. „ K.B. Bhatnagar	Uttar Pradesh	No. 122, dated the 20th October 1956.

[No. 280.]

S.O. 2262.—In pursuance of clause (b) of Sub-rule (ii) of rule 2 of the Appellate Tribunal Rules, 1946, the Central Government has been pleased to appoint the following Income-tax Officers as Junior Authorised Representatives, Income-tax Appellate Tribunal with effect from the date noted against them, to appear, plead and act for any Income-tax authority who is a party to any proceedings before the Income-tax Appellate Tribunal:—

S. No.	Name of I.T.O.	Date of appointment.
1.	Shri V. Ramchandran	10-7-1961 (F.N.)
2.	„ R.M. Chakraborty	7-7-1961 (A.N.)
3.	„ Ramjit Duby	11-7-1961 (F.N.)
4.	„ K.C. Rao	30-6-1961 (A.N.)
5.	„ N.D. Advani	30-6-1961 (A.N.)

[No. 281.]

D. SUBRAMANIAM, Dy. Secy.

(Department of Revenue)

CUSTOMS.

New Delhi, the 23rd September, 1961.

S.O. 2263.—In exercise of the powers conferred by section 6 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, and in supersession of all previous notifications in so far as they provide for the appointment of Officers of Central Excise and of Land Customs Departments to be Officers of Customs within their respective jurisdictions or for specified areas and for the exercise and performance by such officers of the powers conferred and duties imposed by the said Act, the Central Government hereby appoints all Officers of the Central Excise Department and all Officers of the Land Customs Department to be Officers of Customs and to exercise the powers conferred, and perform the duties imposed on such Officers by the said Act in the whole of India and the State of Pondicherry.

[No. 106/F. No. 2/258-L.C.I.]

M. C. DAS, Dy. Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX.

New Delhi, the 14th September, 1961.

S.O. 2264.—In exercise of the powers conferred by sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments in the Schedule appended to its Notification S.O. 660 No. 35, dated the 22nd April, 1958, namely:—

In the said Schedule
under the sub-head "XII-Madras"

(a) against Madras Range, the following entry shall be added:—
"17. Special Survey Circle, Madras."

(b) against Madurai Range, the following entry shall be added:
"9. Special Survey Circle, Madurai".

Explanatory Note.

NOTE.—The amendments have become necessary on account of the creation of two Special Survey Circles at Madras and Madurai.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 62 (F. No. 50/12/61-IT.)]

S.O. 2265.—In exercise of the powers conferred by sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments in the Schedule appended to its notification S.O.—660 No. 35-Income-tax, dated the 22nd April, 1958:—

In the Schedule under the sub-head "I-Andhra Pradesh" for the existing entries in column 1 and 2 the following entries shall be substituted, namely:—

A-Range. Hyderabad:

1. A-Ward, Hyderabad.
2. C-Ward, Hyderabad.
3. Income-tax cum Wealth Tax Circle No. I, Hyderabad.
4. Income-tax cum Wealth Tax Circle No. III, Hyderabad.
5. Chittoor.
6. Tirupathi.
7. Cuddapah.
8. Anantapur.

B-Range, Hyderabad:

1. B-Ward, Hyderabad.
2. Income-tax *cum* Wealth Tax Circle No. II, Hyderabad.
3. Special Investigation Circle, Hyderabad.
4. Special Survey Circle, Hyderabad.
5. Salary Circle, Hyderabad.
6. Adoni.
7. Kurnool.
8. Nizamabad.
9. Khammameth.
10. Warrangal.

Vijayavada Range:

1. Vijayavada.
2. Masulipatam.
3. Guntur.
4. Tenali.
5. Palacole.
6. Nellore.
7. Gudur.

Visakhapatnam Range:

1. Vizianagaram.
2. Visakhapatnam.
3. ~~Kakinada~~.
4. Rajahmundry.
5. Palacole.
6. Eluru.

The notification shall have effect from the 15th September, 1961.

Explanatory Note

NOTE.—The amendments have become necessary on account of the re-organisation of the Appellate Assistant Commissioners Ranges in the Charge of the Commissioner of Income-tax, Andhra Pradesh.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 64 (F. No. 50/1/61-IT).]

S.O. 2266.—In exercise of the powers conferred by sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments to its notification S.O. 660 No. 33-
Income-tax, dated the 22nd April, 1958, namely:—

In the schedule annexed to the said notification under sub-head "V-Gujarat" for the existing entries in Columns 1 and 2, the following entries shall be substituted, namely:—

'A' Range, Ahmedabad.

1. Special Circle, Ahmedabad. (Wards A, B & C).
2. Circle VI, Ahmedabad.

'B' Range, Ahmedabad.

1. Central Circle, Ahmedabad.
2. Special Investigation Circle, Ahmedabad.
3. Circle II, Ahmedabad.

'C' Range, Ahmedabad.

1. Special Survey Circle, Ahmedabad.
2. Circle IV, Ahmedabad.
3. Petlad Circle.

'D' Range, Ahmedabad.

1. Special Circle, Ahmedabad. (Wards D, E, F, G, H & J).
2. Nadiad Circle.

'E' Range, Ahmedabad.

1. Circle I, Ahmedabad.
2. Circle III, Ahmedabad.
3. Circle V, Ahmedabad.
4. Palanpur Circle.
5. Mehsana Circle.
6. Patan Circle.

'A' Range, Baroda.	1. Circle I, Baroda. 2. Navsari Circle. 3. Bulsar Circle.
'B' Range, Baroda.	1. Circle II, Baroda. 2. E.D. cum I.T. Circle, Baroda. 3. Godhra Circle. 4. Breach Circle.
Surat Range.	1. Circle I, Surat. 2. Circle II, Surat. 3. E.D. cum I.T. Circle, Surat.
Rajkot Range.	1. Rajkot Circle. 2. Special Survey Circle II, Rajkot 3. Morvi Circle. 4. Porbandar Circle. 5. Bhuj Circle.
Bhavnagar Range.	1. Bhavnagar Circle. 2. Junagadh Circle. 3. Surendranagar Circle. 4. Amreli Circle. 5. Jamnagar Circle.

This notification will take effect from 18th day of September, 1961.

Explanatory Note.

Note.—The amendments have become necessary on account of the reorganisation of the appellate ranges in the charge of the Commissioner of Income-tax, Gujarat.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 65 (F. No. 50/6/61-IT).]

D. V. JUNNARKAR, Under Secy.

ESTATE DUTY.

New Delhi, the 18th September, 1961.

S.O. 2267.—In exercise of the powers conferred by the second proviso to sub-section (2) of Section 4 of the Estate Duty Act, 1953 (34 of 1953), the Central Board of Revenue hereby makes the following amendment in its notification No. 29/F. No. 21/114/60-ED, dated the 29th November, 1960, which was published under S.O. No. 2923 in Part II Section 3 of the Gazette of India, dated the 10th December, 1960, namely:—

"In para 1 of the said notification, after the word 'Fatehgarh', the word 'Etawah' will be added."

2. This notification shall come into force with effect from the 12th September, 1961.

Explanatory Note.

(This note is not part of the notification but is intended to be merely clarificatory).

This amendment has become necessary due to the change of Headquarters of Income-tax Circle, Etawah, from Kanpur to Etawah with effect from the 12th September, 1961.

[No. 57/F. No. 21/84/61-ED.]

M. B. PALEKAR, Secy.

CUSTOMS.

New Delhi, the 23rd September, 1961.

S.O. 2268.—In exercise of the powers conferred by clause (c) of section 11 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Board of Revenue hereby makes the following

further amendment in its Notification No. 23-Customs dated the 14th February, 1959, namely:—

In the Table annexed to the said notification, in the entry in column 1 against Serial No. 2, for the words "Oil installations of Burmah-Shell, Standard Vacuum, Caltex and Western India Oil Distributing Co. Ltd. at Kharirohar", the words "Oil installations of Burmah-Shell Oil Storage and Distributing Co. of India Ltd., Standard Vacuum Oil Co. Ltd., Caltex (India) Ltd., Western Indian Oil Co., and Indian Oil Co. at Kharirohar" shall be substituted.

[No. 108/F. No. 54/1/60-Cus.IV.]

S. VENKATESAN, Secy.

LAND CUSTOMS

New Delhi, the 23rd September, 1961

S.O. 2269.—In exercise of the powers conferred by sub-section (1) of section 3 of the Land Customs Act, 1924 (19 of 1924), read with the notification of the Government of India in the late Finance Department (Central Revenues) No. 5944, dated the 13th December, 1924, the Central Board of Revenue hereby appoints, for the areas adjoining the foreign frontier separating East Pakistan from India, the following officers of the Government of Assam to be Land Customs Officers within the jurisdiction of the Collector of Central Excise and Land Customs, Shillong, namely:—

1. Deputy Inspector General of Police (Border) Assam, with Headquarters at Shillong;
2. Assistant Inspector General of Police (Border) Assam, with Headquarters at Shillong;
3. Commandants of Border Security Forces, Assam, at Masimpur, Shillong, Tura and Panchgram;
4. Assistant Commandants of Border Security Forces, at Masimpur, Akbarpur, Lakhimpur, Shillong, Balat Dawki, Baghmara, Halladiaganj and Panchgram;
5. (a) Subedar Majors of Border Security Forces,
(b) Subedars of Border Security Forces,
(c) Jamedars of Border Security Forces,
(d) Inspectors of Police,
(e) Sub-Inspector of Police,

in the district of Mizo, Cachar, United K. & J. Hills, Garo Hills and Goalpara.

[No. 6/F. No. 8/1/60-L.C.I.]

M. C. DAS, Secy.

OFFICE OF THE ASSISTANT COLLECTOR OF CENTRAL EXCISE, ANANTAPUR DIVISION, (Andhra Pradesh)

Anantapur, the 8th September 1961

S.O. 2270.—Whereas it appears that the below mentioned unclaimed goods which were seized by the Deputy Superintendent of Central Excise, (Preventive and Intelligence), Anantapur at Kurnool on 22nd July 1961 were imported in contravention of the Government of India, Ministry of Commerce and Industry Imports (Control) Order No. 17/55 of 7th December, 1955 as amended and issued under section 3 of Imports and Exports (Control) Act, 1947 and deemed to have been issued under Section 19 of the Sea Customs Act, 1878.

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise, Anantapur why the below mentioned goods should not be confiscated under Section 3(2) of the Imports and Exports (Control) Act, 1957 read with section 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the ownership of the below mentioned goods or to show cause against the action proposed to be taken within

30 days from the date of the publication of this notice in the Government of India Gazette, the goods in question will be decided accordingly by the Assistant Collector of Central Excise, Anantapur Division, Anantapur.

Description	quantity	value
1. KING—21 Jewels, Calender Swiss made—Rold gold.	One	
2. CANY—17 Jewels, Calender No. 40738—Stainless steel	One	
3. LAREX—17 Jewels—No. 467 stainless steel one hand fallen.	One	
4. LAREX—21 Jewels—No. 471 Rold gold, Swiss made	One	
5. HENRYSANDOZ—21 Jewels stainless steel	One	
6. JAPAN PILOT pen with gold cap	One	
7. SWAN pen made in England	One	
8. One small turkey towel	One	
Total Value Rs. 600		

[D.O.R. No. 4/61(cus).]

B. G. AYACHIT, Asstt. Collector.

**OFFICE OF THE ASSISTANT COLLECTOR OF CENTRAL EXCISE, GOA
FRONTIER DIVISION, BELGAUM**

NOTICE

Belgaum, the 11th September, 1961

S.O. 2271.—Whereas it appears that the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border were imported by land from India to Goa (Portuguese Possessions in India) in contravention of Rules and Notifications as mentioned against each.

Sl. No.	Date & place of seizure	By whom detected	Description of goods	Quantity	Rules contravened
1	2	3	4	5	6
81/61	25-6-61. At Amboli Bus Stand in S.T. Bus No. BYW 1687.	Insp. C. Ex., F.S. Amboli.	Mechanical lighters IM-CO—Triplex Key Chains Double Ducks Brand.	132 792	Section 5(1) of Land Customs Act 1924 & Government of India Ministry of Finance & Industry Import trade (Control) order No. 17/55 dt. 7-1-55—issued under Sec. 3(a) & 4A of the Imports & Export Control Act, 1947 and deemed to have been issued under Sec. 19 of the Sea Customs Acts, 1878.

Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) and 168

of the Sea Customs Act, 1878, and why a penalty should not be imposed on him under Section 7(1) (c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-181/61.]

S.O. 2272.—

To

- | | | |
|--|---|----------------------|
| <ul style="list-style-type: none"> (1) Shri Dalla P. Verekar (2) Shri Rama S. Devali (3) Shri Krishna R. Yelgekar (4) Shri Rama P. Devali (5) Shri Babble B. Yelegekar (6) Shri Narayan G. Yelegekar (7) Shri Gancsh B. Yelegekar (8) Shri Mahadeo G. Yelgekar (9) Shri Jeevlo M. Yelgekar. (10) Shri Govind L. Usapkar. | } | All of Walpoi (Goa). |
|--|---|----------------------|

Whereas a notice to Show Cause issued to you under the Land Customs Act, 1924, Imports and Exports (Control) Act, 1947 and Foreign Exchange Regulation Act, 1947 is pending in the office of the undersigned, you are requested to take delivery of the said notice on any working day within ten days from the date of publication of this intimation failing which the case will be decided *ex parte*.

[No. VIII(b)10-110/61].

E. R. SRIKANTIA,
Asstt. Collector.

MINISTRY OF COMMERCE AND INDUSTRY

Bombay, the 1st September 1961

S.O. 2273.—In exercise of the powers conferred on me by clauses 3, 4, 13, 14A and 17 of the Cotton Control Order, 1955 and of all other powers enabling me in this behalf, I hereby make the following order in respect of Indian cotton marketed in India from 1st September, 1961:—

1. Permission for sale of cotton by a manufacturer.—No manufacturer shall sell cotton to any person without the previous written permission of the Textile Commissioner.

2. The prices stated in Schedule "A" will not apply to purchases of permitted varieties for the purposes of export by an exporter. However, no such exporter shall sell in the internal market any part of such cotton purchased for export without the written permission of the Textile Commissioner. In case such permission is granted, such cotton shall be sold in the internal market at a price not exceeding the maximum price specified in Schedule "A" annexed hereto.

3. Purchases of "Kapas" by a manufacturer.—Every manufacturer to whom permission under sub-clause 3 of clause 13 of the Cotton Control Order, 1955 has been issued shall purchase "kapas" at such price that the eventual corresponding cost price of the ginned and/or pressed lint outturn shall not exceed the maximum price fixed in Schedule "A" annexed hereto.

4. Filing of Returns.—(i) Every "A" class licence holder, not being a manufacturer or a bank, shall furnish to the office of the Textile Commissioner, Bombay in the form given below (Annexure "A") a periodical statement (i.e., for the period 1st to 15th and 16th to 30th/31st of each month) to be despatched on or before the 3rd or 18th of each month respectively of his actual deliveries of Indian cotton to the mills and his sales.

(ii) Every cotton ginning factory shall furnish to the office of the Textile Commissioner, Bombay in the form given below (Annexure "B"), a monthly statement to be despatched on or before the 3rd of each month showing the details of ginned and/or pressed cotton to mills during the previous month.

5. Maximum and minimum prices of cotton.—(i) Subject to the other provisions hereinafter contained, the minimum and the maximum prices of cotton of the 1961-62 season of the descriptions specified in columns (1) and (2) of Schedule "A" annexed to this notification shall be as specified in columns (3) and (4) respectively of the said Schedule:

Provided that where cotton, which is the subject-matter of a contract is of a quality either inferior or superior to the basic quality referred to in columns (1) and (2) of the said Schedule, the minimum or the maximum price shall be decreased or increased, as the case may be, by an amount specified in columns (5) to (16) of the said Schedule:

Provided further that no such cotton shall be considered to be of a quality superior to the basic quality as aforesaid unless its superior staple and class have been certified by the East India Cotton Association Ltd., Bombay or by the Ad Hoc Committee and the maximum price of such cotton shall then be in accordance with the description, staple and class mentioned in such certificate:

Provided also that where in relation to any cotton, the buyer or the seller does not accept the certificate of the said Association the decision of any three members of the Committee specified in Schedule "B" relating to the description staple or class of the cotton shall be final, and the maximum price of such cotton shall be in accordance with such decision.

(ii) (a) The prices specified in Schedule "A" are in Rupees per Quintal of 100 Kilograms net for delivery in full pressed bales ex-seller's godown, Bombay and include 1/4 per cent. brokerage payable by the seller to the buyer and the usual sample and stone allowance as provided in the bye-laws of the East India Cotton Association Ltd., Bombay. However, when cotton is requisitioned, no brokerage charges or any other allowance (except stone allowance in Bombay) will be permissible.

(b) The minimum and maximum prices for delivery at any place other than Bombay shall be the prices specified in Schedule "A" less a sum equivalent to the railway freight from the place of origin to Bombay and Rs. 2.80 nP. per quintal plus the sum, if any, equivalent to the Railway freight from the place or origin to the place of delivery to the buyer and Rs. 2.80 nP. per quintal.

(c) The maximum prices specified in paragraph 5 (i) and sub-paragraphs (a) and (b) of paragraph 5(ii) shall be increased, where the sale is directly to a manufacturer, by 1-1/4 per cent. thereof, and where the sale is directly to an "A" class licensee, by 3/4 per cent. thereof.

(d) The maximum and minimum prices specified in paragraph 5(i) and sub-paragraphs (a) and (b) of paragraph 5(ii) shall be decreased by Rs. 7 per quintal when the subject-matter of the contract is ginned (that is, unpressed) cotton.

(e) Where cotton which is the subject-matter of a contract is loose cotton obtained by opening a full pressed bale and does not exceed 15 Kgs. in weight, the maximum prices specified in paragraph 5(i) and sub-paragraphs (a) and (b) of paragraph 5(ii) shall be increased by 12½ per cent. thereof.

(f) The minimum prices fixed under this notification shall not apply to cotton which is inferior in class or staple to that for which "off" allowances are specified in columns (5), (6), (10) and (11) of Schedule "A" but it shall be open to any person or persons who are required to fix the exact value of any such cotton to fix a value which is less than the price specified for the lowest staple and class of cotton of the description.

(g) Nothing in this notification shall apply to a contract of sale for the purpose of export by any exporter with an overseas buyer or his agent or by a grower or middleman with any exporter or his agent.

(h) A certificate from the Textile Commissioner to the effect that the contract entered into is for the purpose of export shall be conclusive evidence of that fact.

6. **Varieties not under price control.**—Nothing in this Notification shall apply to—

(a) Sea-Island Andrews cotton, grown in the States of Andhra Pradesh, Kerala, Mysore and Madras if it is certified by the Committee specified in Schedule "B" as having a staple length of above 1-1/8" and complies with the following conditions:

(i) the seeds required for sowing such cotton in the above States have been duly approved and supplied by the officers of the Sea-Island Cotton Development Scheme, and

(ii) the ginning and pressing of the crop of such cotton have been done under the supervision of the aforesaid officers and a certificate of purity issued by them for the pressed bales.

(b) Hybrid cotton grown in Gujarat State, if it is certified by the Committee specified in Schedule "B" as having a staple of above 1-1/8" length and complies with the following conditions:—

(i) the seeds required for sowing such cotton have been duly approved and supplied by the State Department of Agriculture; and

(ii) the ginning and pressing of the crop of such cotton have been done under the supervision of the State Department of Agriculture and certificate of purity issued by the Department for the pressed bales.

(c) Any other cotton which may be certified by the State Department of Agriculture or "agmarked" under the Cotton Grading and Marking Rules, 1939, indicating the varietal purity and further certified as having a staple length above 1-1/8" by the Committee specified in Schedule "B".

7. **Description of varieties.**—(a)(i) "Moglai Jarilla" means cotton recognised as such and grown in the Marathwada region (excluding the 93 villages in Soegaon mahal and Kannad and Bhokardan talukas of Aurangabad district, protected under the Cotton Transport Act, 1923 (3 of 1923), and Ahmednagar district of Maharashtra State and Bijapur district of Mysore State and includes "Virnar (197-3)" grown in these areas.

(ii) "Vidarbha and Madhya Pradesh 197-3" means cotton recognised as such and grown in Vidarbha region, Sholapur and Poona districts and Hingoli taluka of Parbhani district of Maharashtra State, Madhya Pradesh, Jhalawar district and Udaipur Division of Rajasthan and Adilabad district of Andhra Pradesh and includes "Virnar (197-3)", "Maljari", "Malvi" and "Bhoj" grown in these areas. It also includes "H. 420" grown in Vidarbha region of Maharashtra State, Kurnool and Anantapur districts of Andhra Pradesh, and Bellary and Chitaldrug districts of Mysore State, provided the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923). It also includes "Buri-American", "Madhya Pradesh Cambodia" and "Madhya Pradesh Upland", which do not conform to the definition in sub-paragraph (q) of this paragraph.

(iii) "Khandesh Virnar (197-3)" means cotton recognised as such and grown in the districts of Nasik, Jalgaon and Dhulla (excluding Nawapur and Akkalkuwa talukas) and in the 93 villages in Soegaon mahal and Kannad and Bhokardan talukas of Aurangabad district of Maharashtra State protected under the Cotton Transport Act, 1923 (3 of 1923).

(b) (i) "Digvijay (A)" means cotton recognised as such (including Vijay) and grown in the districts of Broach (excluding Ankleshwar, Jhagadia, Dediapada talukas and part of Nandod taluka lying South of River Narbada, Hansot, Valia,

Sagbara talukas), Baroda, Kaira (except talukas of Cambay and Petlad), Panchmahals and Sabarkantha of Gujarat State and Banswara district of Rajasthan.

(ii) "Digvijay (B)" means cotton recognised as such (including Vijay) and grown in Combay and Petlad talukas of Kaira district, Ahmedabad district lying South of the River Sabarmati (including the part of Daskroi taluka and the whole of City and Dehgam talukas) of Gujarat State. If any "Digvijay" cotton grown in these areas is recognised as "Digvijay (A)", such cotton shall come under "Digvijay (A)".

(c) "Surti Vijalpa" means cotton recognised as such (including Vijalpa 2087) and grown in Surat district and in Ankleshwar, Jhagadia, Nandod, Honsot, Valia, Dediapada and Sagbara talukas of Broach district of Gujarat State and in Nawapur and Akkalkuwa talukas of Dhulia district of Maharashtra State.

(d) "Punjab American 216F" means cotton recognised as such and grown in the States of Punjab, Uttar Pradesh, Madras and Andhra Pradesh and includes "Punjab American H-14", provided the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923) or any corresponding Act. It also includes "Punjab American LL 54" grown in the areas of "216F" and which does not conform to the definition in sub-paragraph (s) (2) of this paragraph.

(e) "Punjab American 320F" means cotton recognised as such and grown in the States of Punjab and Uttar Pradesh and in the Ganganagar district of Rajasthan State, provided the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923), or any corresponding Act. It also includes "Punjab American LL 54" grown in the area of "320F" and which does not conform to the definition in sub-paragraph (s) (2) of this paragraph. It also includes "Punjab American L.S.S."

(f) "Jayadhar" means cotton recognised as such and grown in the districts of Dharwar, Belgaum, Bijapur, Chitaldrug, Gulbarga and Raichur of Mysore State and Sangli, Satara and Kolhapur districts of Maharashtra State provided the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923), or any corresponding Act.

(g) "Laxmi" means cotton recognised as such and grown in the districts of Dharwar, Belgaum, Bijapur, Chitaldrug, Hassan, Chikamagalur, Shimoga, Mandya, Mysore, Gulbarga, Raichur and Bellary of Mysore State, Kurnool, Cuddapah and Anantapur districts of Andhra Pradesh, provided the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923), or any corresponding Act. It also includes "M.A.5" which does not conform to the definition of sub-paragraph (s) (2) of this paragraph.

(h) "Westerns" means cotton recognised as such and grown in the Bellary, Gulbarga and Raichur districts of Mysore State and Kurnool, Anantapur, Cuddapah and Mehboobnagar districts of Andhra Pradesh and includes "Hagari 1" (Western Farm), "White Northerns" and "Red Northerns".

(i) "Karunganni" means cotton recognised as such and grown in the Coimbatore, Tiruchirapalli, Madurai, Ramnathapuram and Tirunelveli districts of Madras State and includes "Karunganni K2, K3 and K6 (Pandyam)", "Tirunelveli" and "Salems (Nadam, Bourbon and Uppam)". It also includes "Coconada 1 and 2" grown in the coastal districts of Andhra Pradesh.

(j) "Dholleras" means cotton recognised as such and grown in Rajkot division of the Gujarat State and includes "Cutch", "1027, "Kadi/Viramgam", "Kadayo", "Wagad" and "Kalagin". It also includes "Kalyan" which does not conform to the definition of the cotton contained in sub-paragraph (k) of this paragraph.

(k) "Kalyan" means cotton recognised as such and grown—

(i) in the Ahmedabad (Dholka, Dhanduka, Sanand and Viramgam talukas) and Mehasana districts of the Gujarat State, provided that the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923),

(ii) in the Rajkot Division of Gujarat State, provided that the seed required for sowing has been duly approved and supplied by the State Department of Agriculture and the produce has been certified by that Department as being "Kalyan".

(l) "Pratap" means cotton recognised as such and grown in Rajkot Division of Gujarat State provided it is certified by the Department of Agriculture. It also includes "Sanjay (CJ 73)" grown in the same areas if certified as such by the Department of Agriculture

(m) "Bengal Deshi" means cotton recognised as such and grown in the States of Punjab, Uttar Pradesh and Rajasthan

(n) "Oomras" means cotton recognised as such and grown in the Sholapur, Ahmednagar and Poona districts and Vidarbha and Marathwada regions of Maharashtra State, Adilabad and Warangal districts of Andhra Pradesh and East and West Nimar, Hoshangabad and Chhindwara districts of Madhya Pradesh. It also includes "C P I & II" and "Central India Cotton" recognised as such and grown in these areas

(o) "Mathia" means cotton recognised as such and grown in the Rajkot division of the Gujarat State. It includes uncertified "Pratap" and "Sanjay (CJ 73)"

(p) "Mungari" means cotton recognised as such and grown in the Bellary, Raichur and Gulbarga districts of Mysore State and in the Anantapur, Cuddapah and Kurnool (except Cumbum and Markapur talukas) districts and Gadhwai and Alampur talukas of Mehboobnagar district of Andhra Pradesh

(q) "Buri American" means cotton recognised as such and grown in the Vidarbha region of Maharashtra State, Madhya Pradesh, Kotah (except Jhalawar district), Udaipur and Ajmer divisions of Rajasthan, and includes "Buri 107", "C Indore 1", "C Indore 2", and "Udaipur American", provided the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923), or any corresponding Act. It also includes uncertified "L 147" and "Buri 0394", recognised as such and grown in the Vidarbha region of Maharashtra State and Madhya Pradesh and uncertified "A 51-9" (Narmada) and "C T 1-4-21" (Badnawar 1) recognised as such and grown in Madhya Pradesh. It further includes "Parbhani American" cotton recognised as such and grown in Adilabad, Utnoor and Boath talukas of Adilabad district of Andhra Pradesh and Kinwat taluka and Islapur circle of Nanded district of Maharashtra State

(r) "Gaorani 6 and 12" means cotton recognised as such and grown in Nanded (Excluding Kinwat taluka and Islapur circle) Parbhani and Osmanabad districts and Mominabad taluka of Bhur district of Maharashtra State, Bidar and Gulbarga districts of Mysore State and Adilabad (Nirmal Taluka and Mudhol, Bhainsa and Kuber Circles) and Medak (Jahirabad and Narayankhed talukas), districts of Andhra Pradesh provided the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923), or any corresponding Act. It includes "Daulat" (2204), "G 22" "G 46" "1494" grown in these areas. It further includes "Nandyal 14" and "Gaorani 6" (Umri) grown in the Kurnool district of Andhra Pradesh

(s) (1) "Cambodia (A)" means cotton recognised as Rajapalayam or "MCU 1" grown in Madras State and includes "9030G". It also includes "MCU 2" grown

as summer crop in Ramnathapuram, Madurai and Tirunelveli districts of Madras State. It further includes "Indo-American 170-Co2" and "134-Co2M" grown in the States of Gujarat and Maharashtra.

(i) The prices specified for these varieties in Schedule "A" would apply if they are of the staple length of 1-1/32" and over and if they are (a) certified by the State Department of Agriculture or (b) "Agmarked" under the Cotton Grading and Marking Rules, 1939 indicating the varietal purity or (c) certified by the East India Cotton Association, Bombay or by the Certification Officer, duly authorized in this respect by the Director of Agriculture under the Superior Cotton Certification Scheme in Madras State with the right of appeal to the Committee specified in Schedule "B" as having a staple length of 1-1/32" and above.

(ii) No cotton stapling below 1-1/32" will be recognised as coming under the varieties mentioned in the above clause (s)(1).

(2) "Cambodia (B)" means cotton recognised as such and includes certified or "Agmarked" Cambodia, "Co2" & "Co4", "Avanashi", "M.A.S." and "LL54" and un-certified "134-Co2M", "170-Co2", "M.C.U.1", "M.C.U.2" and "9030G" grown in the States of Madras, Gujarat, Maharashtra, Mysore, Punjab and Ganganagar district of Rajasthan.

(3) "Cambodia (C)" means cotton recognised as such and includes all Cambodias grown in the States of Madras, Andhra Pradesh, Mysore, Kerala (Palghat District), Maharashtra, Gujarat, Madhya Pradesh. It also includes certified "L. 147" and "Burl 0394" recognised as such and grown in Vidarbha region of Maharashtra State and Madhya Pradesh and certified "A. 51-9" (Narmada) and "C.T.I.4-21" (Badnawar 1) recognised as such and grown in Madhya Pradesh.

(t) "Sea Island (Andrews)" means cotton recognised as such and grown in Kozhikode, Palghat and Trichur districts and other coastal parts of Kerala State, South Kanara district and other coastal parts including the Malnad area of the Mysore State and States of Madras and Andhra Pradesh. It includes hybrid cotton grown in Gujarat State.

8. Ad Hoc Committee.—The Committee specified in Schedule "B" shall be the Committee to which the final appeal may lie in respect of questions regarding the quality of cotton and prices. Any cotton not coming under any of the above description will be submitted to the Ad Hoc Committee for classification and fixation of minimum and maximum prices.

9. Restrictions and conditions on contracts.—The contracts for the sale or purchase of Indian cotton produced during the cotton season 1961-62 shall be subject to the following restrictions and conditions:—

(a) No person shall enter into a contract for the sale or purchase of cotton at a price less than the minimum price or more than the maximum price as fixed by the Textile Commissioner under clause 3 of the Cotton Control Order, 1955 in respect of Indian cotton produced during the cotton season 1961-62 as applicable to the subject-matter of the contract having regard to the place of delivery thereunder.

(b) No person shall enter into a contract of sale with an over-seas buyer for the purposes of export unless he holds a valid export licence:

Provided, however, that where the Joint Chief Controller of Imports and Exports so permits by way of Trade Notice a person may enter into a contract of sale with an over-seas buyer for the purpose of export without holding a valid export licence but subject always to the terms and conditions of such Trade Notice.

(c) Every contract in which a final price is not named shall be construed as if the following clause was inserted therein, viz.:—

“The prices payable shall be within the range of the minimum and the maximum prices fixed by the Textile Commissioner under clause 3 of the Cotton Control Order, 1953 in respect of Indian cotton produced during cotton season 1961-62.”

SCHEDULE

(Figures in Brackets indicate the approximate

Description of cotton season 1961-62	Basic staple lengths in inches	Basic minimum price per quintal of 100 kgs.	Basic maximum price per quintal of 100 kgs.	" OFF " & " ON " Allowances for class Other than basic class		
				Good	Fully Good	Fine
1	2	3	4	5	6	7
Moglai Jarilla . . .	25/32	Rs. 169 (600)	Rs. 231 (820)	Rs. ..	Rs. 4 (14·22)	Rs. Basis
Vidarbha M. P. 197/3	26/32	178 (634)	242 (860)	..	4 (14·22)	Do.
Khandesh Virnar 197/3 .	26/32	180 (641)	246 (875)	..	4 (14·22)	Do.
Digvijay-A	26/32	201 (715)	273 (970)	..	4 (14·22)	Do.
Digvijay-B	26/32	173 (615)	250 (890)	..	4 (14·22)	Do.
Surti	28/32	218 (775)	291 (1035)	..	4 (14·22)	Do.
Punjab American 320-F RGD.	27/32	203 (720)	267 (950)	..	4 (14·22)	Do.
Punjab American 320-F SGD.	27/32	214 (760)	281 (1000)	..	4 (14·22)	Do.
Punjab American 216-F RGD.	28/32	219 (780)	294 (1045)	..	4 (14·22)	Do.
Punjab American 216-F SGD.	28/32	232 (825)	308 (1095)	..	4 (14·22)	Do.
Westerns	26/32	180 (641)	251 (890)	..	4 (14·22)	Do.
Karunganni	27/32	197 (700)	269 (955)	..	4 (14·22)	Do.
Dholleras	24/32	166 (590)	222 (790)	..	4 (14·22)	Do.
Pratap	24/32	163 (580)	219 (780)	..	4 (14·22)	Do.
Bengal Deshi . . . .	..	143 (505)	195 (695)	14 (49·79)	7 (24·89)	Do.
Oomras	20/32	157 (555)	202 (720)	..	4 (14·22)	Do.
Mathia & Mungari . .	..	147 (520)	197 (700)	..	4 (14·22)	Do.
Buri-American . . .	28/32	205 (730)	267 (950)	..	4 (14·22)	Do.
Gaorani 6 & 12 . . .	28/32	207 (735)	280 (995)	..	4 (14·22)	Do.
Kalyan	25/32	169 (600)	245 (870)	..	4 (14·22)	Do.
Jayadhar	28/32	208 (740)	283 (1005)	..	4 (14·22)	Do.
Laxmi	28/32	222 (790)	297 (1055)	..	4 (14·22)	Do.
Cambodia-A	1-1/32	299 (1065)	380 (1350)	..	4 (14·22)	Do.
Cambodia-B	1	253 (900)	337 (1200)	..	4 (14·22)	Do.
Cambodia-C	30/32	238 (845)	312 (1110)	..	4 (14·22)	Do.

"A"

Prices in Rs. per candy of 784 lbs.)

"OFF" allowances for staple below basic Staple				"ON" Allowances for Staple above basic Staple				
Super- fine 8	Extra super-fine 9	2/32" 10	1/32" 11	1/32" 12	2/32" 13	3/32" 14	4/32" 15	5/32" 16
Rs. 4	Rs. 8	Rs. 11	Rs. 6	Rs. 6	Rs. 13	Rs. 20	Rs. 28	Rs. ..
(14·22)	(28·45)	(39·12)	(21·34)	(21·34)	(46·23)	(71·12)	(99·57)	..
4	8	11	6	6	13	20	28	..
(14·22)	(28·45)	(39·12)	(21·34)	(21·34)	(46·23)	(71·12)	(99·57)	..
4	8	11	6	6	13	20	31	..
(14·22)	(28·45)	(39·12)	(21·34)	(21·34)	(46·23)	(71·12)	(110·24)	..
4	8	11	6	7	14	23	28	..
(14·22)	(28·45)	(39·12)	(21·34)	(24·89)	(49·79)	(81·79)	(99·57)	..
4	8	11	6	7	14	23	..	..
(14·22)	(28·45)	(39·12)	(21·34)	(24·89)	(49·79)	(81·79)	..	..
4	8	14	8	6	13	20	28	..
(14·22)	(28·45)	(49·79)	(28·45)	(21·34)	(46·23)	(71·12)	(99·57)	..
4	8	13	6	6	13	20	..	..
(14·22)	(28·45)	(46·23)	(21·34)	(21·34)	(46·23)	(71·12)	..	..
4	8	13	6	6	13	20	..	..
(14·22)	(28·45)	(46·23)	(21·34)	(21·34)	(46·23)	(71·12)	..	..
4	8	17	8	11	18	25	34	..
(14·22)	(28·45)	(60·46)	(28·45)	(39·12)	(64·01)	(88·90)	(120·91)	..
4	8	17	8	11	18	25	34	..
(14·22)	(28·45)	(60·46)	(28·45)	(39·12)	(64·01)	(88·90)	(120·91)	..
4	8	13	6	6	13	20	28	..
(14·22)	(28·45)	(46·23)	(21·34)	(21·34)	(46·23)	(71·12)	(99·57)	..
4	8	14	8	7	16	24	32	42
(14·22)	(28·45)	(49·79)	(28·45)	(24·89)	(56·90)	(85·35)	(113·80)	(149·36)
4	8	11	6	6	13	..	..	..
(14·22)	(28·45)	(39·12)	(21·34)	(21·34)	(46·23)	..	..	..
4	8	14	7	6	13	20	28	..
(14·22)	(28·45)	(49·79)	(24·89)	(21·34)	(46·23)	(71·12)	(99·57)	..
14	28	..	..	..	..	..	..	..
(49·79)	(99·57)	..	..	..	..	..	..	..
7	13	11	6	6	13	..	..	..
(24·89)	(46·23)	(39·12)	(21·34)	(21·34)	(46·23)	..	..	..
7	13	..	..	..	..	..	..	..
(24·89)	(46·23)	..	..	..	..	..	..	..
4	8	14	7	14	31	42	56	70
(14·22)	(28·45)	(49·79)	(24·89)	(49·79)	(110·24)	(149·36)	(199·15)	(248·93)
4	8	14	8	6	13	..	..	..
(14·22)	(28·45)	(49·79)	(28·45)	(21·34)	(46·23)	..	..	..
4	8	11	6	6	13	20	..	..
(14·22)	(28·45)	(39·12)	(21·34)	(21·34)	(46·23)	(71·12)	..	..
4	8	13	7	6	13	..	..	..
(14·22)	(28·45)	(46·23)	(24·89)	(21·34)	(46·23)	..	..	..
4	8	17	8	11	18	25	34	..
(14·22)	(28·45)	(60·46)	(28·45)	(39·12)	(64·01)	(88·90)	(120·91)	..
4	8	..	..	19	47	65	..	..
(14·22)	(28·45)	..	..	(69·79)	(169·36)	(229·82)	..	..
4	8	..	11	36	51	77	..	..
(14·22)	(28·45)	..	(39·12)	(130·00)	(180·00)	(279·00)	..	..
4	8	18	11	4	13	28	..	..
(14·22)	(28·45)	(64·01)	(39·12)	(14·22)	(46·23)	(99·57)	..	..

Note. I—R. G. means Roller-ginned.

S. G. means Saw-ginned.

Note II.—In the case of cotton specified below if they are certified to have been grown in areas reserved by the Agricultural Department of the State concerned for the purpose of procuring pure seed for sowing and if the crop has been duly rogued by removing off type plants, the basic maximum prices specified in column (4) above shall be deemed to be increased by the amount shown below namely :—

(i) Jayadhar	Rs. 14 (50)	per quintal over	Jayadhar of column (1).
(ii) Karunganni K-2, K-5 and K-6 (Pandyar) Coconadas 2.	Rs. 14 (50)	Do.	Karunganni of column (1).
(iii) Gaorani 6 and 12 Daulat, G. 46, N-14 and Gaorani 1494.	Rs. 14 (50)	Do.	Gaorani 6 and 12 of column (1).
(iv) Jarilla	Rs. 14 (50)	Do.	Vidarbha M. 'P. 197/3 of column (1).
(v) Malvi 9 and Maljari }			
(vi) Virnar (197/3)	Rs. 14 (50)	Do.	P/A 216F R.G. of column (1).
(vii) P/A 216FR. G., P/A H. 14 R. G.			
(viii) P/A I.S.S.R.G.	Rs. 14 (50)	Do.	P/A 320F R.G. of column (1).
(ix) Buri American 107, Parbhani American C. Indore 1.	Rs. 14 (50)	Do.	Buri American of column (1).
(x) Vijalpa (2087)	Rs. 14 (50)	Do.	Surti of column (1).
(xi) Laxmi	Rs. 14 (50)	Do.	Laxmi of column (1).
(xii) Vijay and Digvijay	Rs. 14 (50)	Do.	Digvijay of column (1).
(xiii) Kalyan	Rs. 14 (50)	Do.	Kalyan of column (1).
(xiv) P. A. 320 F.R.G.	Rs. 14 (50)	Do.	P/A 320F R. G. of column (1).
(xv) MCU 1, 9030G, MCU 2, Indo- American 170 and 134.	Rs. 14 (50)	Do.	Cambodia (A) of column (1).
(xvi) L. L. 54 and M. A. 5.	Rs. 14 (50)	Do.	Cambodia (B) of column (1).
(xvii) Cambodia Co. 2, L-147, A51-9, Burl 0394 and C.T.I.-4-21.	Rs. 14 (50)	Do.	Cambodia (C) of column (1).
(xviii) "Sanjay (CJ 73)"	Rs. 14 (50)	Do.	Pratap of column (1).
(xix) Westerns 1	Rs. 14 (50)	Do.	Westerns of column (1).

Note III.—The prices of Bengal Deshi specified in Schedule "A" shall be increased by Rs. 9 per quintal (approximately Rs. 30 per candy) if it is saw-ginned.

Note IV.—The prices specified in Schedule "A" will be reduced for cottons which appear to have been deliberately mixed and/or deliberately watered. In such cases the minimum and maximum prices shall be reduced by an appropriate amount to be determined by the Committee specified in Schedule "B" after examining the samples submitted for survey by the buyer or the seller.

SCHEDULE "B"

1. Shri R. G. Saraiya,
C/o. Messrs. Narandas Rajaram and Co., Bombay.
2. Shri Jehangir P. Patel,
C/o. Messrs. Patel Cotton Co. Ltd., Bombay.
3. Shri Dwarkadas Jamnadas,
C/o. James Finlay Mills Ltd., Bombay.
4. Shri A. B. Wadia,
C/o. Messrs. India United Mills Ltd., Bombay.
5. Shri Pratapsingh Mathuradas,
C/o. Messrs. Vishnu Cotton Mills, Bombay.
6. Shri Gatulal Rangildas,
C/o. Messrs. Bhaidas Cursonadas and Co., Bombay.
7. Shri Hansraj Jivandas,
C/o. Messrs. Khimji Vishram and Sons, Bombay.
8. Shri R. D. Shah,
Director (Cotton), Office of the Textile Commissioner, Bombay.

Return in respect of purchases, deliveries and stocks of Indian Cotton for the fortnight ended.....in response to this office Circular No. 1 (1)/Cotton dated 1st September, 1961.

Full name of the licence-holder..... Licence No. A.

Address

INSTRUCTIONS

- (1) The quantity of cotton to be shown below shall include both the loose ginned cotton and pressed cotton and indicated in metric bales of 180 Kgs. each.
- (2) The description of cotton given hereunder should not be altered, and details are to be furnished only for the description of cotton listed below.
- (3) The form below should be filled in and submitted to reach the Cotton Statistics Section, Office of the Textile Commissioner, not later than the 7th or 22nd of the month as the case may be.
- (4) Figures under Columns (3), (4) and (5) shall include those relating to the licence-holder as well as his clients.
- (5) Col. (3)+Col. (4)—Col. (5)=Col. (12)=Col. (8)+Col. (11).

Serial No.	Description	Actual stocks on the last day of the previous fortnight	Actual purchases made during the fortnight	Actual deliveries during the fortnight	Actual stocks held on the last day of the current fortnight						
					Own A/C			Client's A/C			Total
					Unsold	Sold but not delivered	Total	Unsold	Sold but not delivered	Total	
1	2	3	4	5	6	7	8	9	10	11	12
Details as per Schedule "A".											
Total .											

I do hereby declare that I have compared the above particulars with the records and books of my office and that they are, in so far as I can ascertain accurate and complete.

Place :
Date:

Signature of the Licence Holder

ANNEXURE A. Page (2)

Licence No. A

Statement showing details of quantity and contract price of cotton deliveries and sales during the fortnight ended.....

Name of Licence Holder

Full address

(Quantity in Metric Bales)

Serial No.	Description	Deliveries			Sales to Mills	
		Quantity delivered during the fortnight.	Whether against road or delivery contract.	Contract prices per quintal of 100 kgs.	Quantity	Contract prices per quintal of 100 kgs.
1	2	3	4	5	6	7
	TOTAL					

Note.—Totals refer to columns (3) and (6) only.

Place :

Date :

Signature of the Licence Holder

ANNEXURE A. Page (3)

Licence No. A

Details of cotton held on client's account on the last day of the fortnight ended..... and cotton sales effected during fortnight ended

Name of the Licence Holder

Full address

(Quantity in Metric Bales)

Serial No.	Description.	Name and address of the client.	Number of bales held			Sales to Mills	
			Unsold.	Sold but not delivered.	Total.	Name(s) of the mills to whom sold.	Quantity.
1	2	3	4	5	6	7	8

Note.—Totals refer to columns (4), (5), (6) and (8).

Signature of the Licence Holder.....

ANNEXURE B

Statement showing details of ginned and pressed cotton for the month
of.....196 .

Name of the Ginning and Pressing Factory

Press Mark No.

Address

Ginned Cotton			Pressed Cotton		
Quantity of ginned cotton in loose form delivered to Mills out of the factory.	Name(s) of the owner(s) of cotton.	Name(s) of the Mills to whom delivered.	Quantity of full-pressed cotton delivered out of factory or taken to ware house of the factory.	Name(s) of the owner(s) of cotton.	Name(s) of the Mills to whom delivered.
1	2	3	4	5	6
TOTAL					

Notes.—(1) Entries of ginned cotton should not be made for delivery to a trader or for purpose of pressing.

(2) Totals refer to columns (1) and (4) only.

Place :

Date :

Signature of the Manager of the Factory

W. R. NATU,
Textile Commissioner.

(No. 24(2)-Tex (A)/61-I)

M. P. ALEXANDER, Dy. Secy.

New Delhi, the 13th September 1961

S.O. 2274.—In exercise of the powers conferred by Section 4 of the Coir Industry Act, 1953 (45 of 1953) and sub-rule (1) of rule 5 of the Coir Industry Rules, 1954, the Central Government hereby appoints the Deputy Director of Industries (Cottage), West Bengal, as a member of the Coir Board until further orders, *vice* special officer (Lac and Coir Development), West Bengal.

[No. 42(2)/60-SSI(B).]

P. S. V. RAGHAVAN, Under Secy.

New Delhi, the 13th September, 1961

S.O. 2275.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Forward Markets Commission Class III Recruitment Rules, 1958, issued with the notification of the Government of India in the Ministry of Commerce and Industry, No. S. O. 488, dated the 2nd April, 1958, namely:—

- (1) These Rules may be called the Forward Markets Commission Class III Recruitment (Amendment) Rules, 1961.

- (2) After rule 2 of the Forward Markets Commission Class III, Recruitment Rules, 1958, (hereinafter referred to as the said rules), the following rule shall be inserted, namely:—

"3. Disqualification

- (a) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to service; and
- (b) no woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service:

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule".

- (3) In the Schedule to the said rules,

- (i) Column 12 and the entries thereunder shall be omitted and column 13 shall be renumbered as column 12.
- (ii) against items 1 to 11, under column 9, for the existing entries, the entry "Two years" shall be substituted.
- (iii) against item 1, under column 7, after the existing entries, the following entry shall be inserted, namely:—

"OR

a degree in Economics plus a degree in Commerce of a recognised University".

- (iv) against item 7,

- (a) under column 5, for the existing entry, the following entry shall be substituted, namely:

"non-selection post".

- (b) under column 6, the words and figures "Between 18 and 25 years" shall be omitted.

- (c) under column 7, the words "Essential: A degree of a Recognized University", shall be omitted.

- (d) under column 10, for the existing entry, the following entry shall be substituted, namely:—

"25 per cent. on the basis of a competitive examination and 75 per cent. by promotion on the basis of seniority-cum-fitness, from the category of Lower Division Clerks".

- (v) against item 10, (a) under column 6, for the figures "25", the figures "21" shall be substituted, (b) under column 7, for the figures and word "35 to 40", the figures 30, shall be substituted.

- (4) In the Note appearing below the Schedule to the said rules, after the words "from time to time", the following words shall be inserted, namely:—

"Qualifications and age may be relaxed at the discretion of the Head of the Department in deserving cases, if there is a dearth of suitable candidates".

[No. 29(17)-TMP/61.]

T. S. KUNCHITHAPATHAM, Under Secy.

ORDER

New Delhi, the 11th September, 1961.

S.O. 2276.—IDRA/6/5.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with Rules 4 and 5 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints the following persons to be members of the Development Council for the scheduled industries engaged in the manufacture or production of electric motors and of machinery and equipment for the generation, transmission and distribution of electric energy (excluding house service meters

and panel instruments), for a period of two years with effect from the date of this Order, on the expiry of the tenure of office of members appointed under the Government of India, Ministry of Commerce and Industry Order No. S.O. 957, dated the 28th April, 1959, as amended from time to time:—

S. No.	Name and address of the Member	Interest represented
1.	Shri K. B. Mathur, Chairman, Heavy Electricals Private Ltd., L. I. C. Building, 5, Parliament Street, New Delhi.	CHAIRMAN Technical knowledge.
2.	Shri N. W. Gurjar, M/s. Kirloskar Electric Co. Ltd., Post Box No. 1017, Bangalore-3.	Owners.
3.	Shri T. G. May, Managing Director, M/s. General Electric Co. Ltd., Calcutta.	Owners.
4.	Shri B. V. D. Menon, Director, M/s. Aluminium Industries Ltd., Kundara (Kerala State).	Owners.
5.	Shri P. R. Deshpande, M/s. Crompton Parkinson (Works) Private Ltd., Haines Road, Worli, Bombay-18.	Owners.
6.	Shri P. Kumar, Managing Director, M/s. National Electrical Industries Ltd., Bombay-12.	Owners.
7.	Shri N. B. Amin Director, M/s. Jyoti Limited, Baroda-3.	Owners.
8.	Shri W. G. Swatek, M/s. Siemens Engineering and Manufacturing Co. of India Private Ltd., Stadium House, Veer Nariman Road, G.P.O. Box No. 490, Bombay-1.	Owners.
9.	Shri N. G. Ayyangar, Director, M/s. Mysore Electrical Industries, Bangalore.	Owners.
10.	Shri K. Eswaran, Managing Director, M/s. Easun Engineering Co., Madras.	Owners.
11.	Shri D. D. Desai, M/s. Hindustan Electric Co., 20, Graham Road, Ballard Estate, Bombay-1.	Owners.
12.	Dr. H. M. Patel, Director, M/s. Laminating Ltd., Hyderabad.	Owners.
13.	Shri S. R. C. Poti, M/s. Asian Cable Corporation Limited, Bombay.	Owners.

S. No.	Name and address of the Member	Interest represented
14.	Shri Y. S. Venkateshwaran, Assistant Director, Indian Standards Institution, Manak Bhavan, 9, Mathura Road, New Delhi.	Technical knowledge.
15.	Shri G. R. Damodaran, Principal, P.S.G. College of Technology, Peelamedu, Coimbatore.	Technical knowledge.
16.	Shri S. Balakrishna, National Council of Applied Economic Research, Parisila Bhavan, 11, Indraprastha Estate, New Delhi-1.	Technical knowledge.
17.	Shri M. Hayath, Director (Technical), Heavy Electricals Private Ltd., L.I.C. Building, 5, Parliament Street, New Delhi.	Technical knowledge.
18.	Shri H. D. Shourie, Executive Director, National Productivity Council, 38, Golf Links, New Delhi.	Technical knowledge.
19.	Shri K. N. Ramaswamy, Development Officer, Development Wing, New Delhi.	Technical knowledge.
20.	Shri S. S. Kumar, Chairman, Central Water & Power Commission, Bikaner House, New Delhi.	Consumers.
21.	Shri S. T. Thadani, Additional Director General of Supplies and Disposals, L.I.C. Building, Parliament Street, New Delhi.	Consumers.
22.	Shri V. A. Appadurai, Chief Engineer (Electricity), Government of Madras, Madras.	Consumers.
23.	Shri Rati Lal Patel, Chief Engineer (Electricity), Government of Gujrat, Ahmedabad.	Consumers.
24.	Capt. K. R. Ramnath, Director of Stores Production (Navy), C.G.D.P's Organisation, Room No. 57, 'A' Block, New Delhi.	Consumers.

In this Ministry's Order No. 957, dated the 28th April, 1959, as amended from time to time, entry No. 19B relating to Capt. M. K. Lele, shall be deleted.

[No. 1(5)IA(IV/60.)]

D. HEJMADI, Dy. Secy.

ORDERS

New Delhi, the 13th September 1961

S.O. 2277.—IDRA/6/7.—In pursuance of Clause (c) of Rule 2 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints Dr. B. Shah, Development Officer, Development Wing, New Delhi, as the Secretary to the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry No. S.O. 1946, dated the 10th August, 1961 for the scheduled industries engaged in the manufacture or production of Drugs and Pharmaceuticals with effect from the 10th August, 1961.

[No. 1(14)IA(IV)/60.]

New Delhi, the 14th September, 1961

S.O. 2278.—IDRA/6/6.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951, the Central Government hereby appoints Shri L. K. Dhawan to be a member of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry No. S.O. 1055, dated the 6th May, 1961, for the scheduled industries engaged in the manufacture or production of electric fans, electric lamps, electronic equipment, household appliances (such as electric irons, heaters and the like), storage batteries, dry batteries, telephones, telegraph equipment, wireless and communication apparatus, radio receivers including amplifiers and public address equipments, television sets, teleprinters, air conditioners and refrigerators, electricity meters and panel instruments, till the 5th May, 1963, and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order after entry No. 27 relating to Mrs. Tarabal, the following entry shall be inserted, namely:—

"28. Shri L. K. Dhawan, Joint Director Railway Stores
(Development), Railway Board, New Delhi. Consumers".

[No. 1(6)IA(IV)/60.]

CORRIGENDUM

New Delhi, the 14th September, 1961

S.O. 2279.—In the Ministry of Commerce and Industry Order No. S.O. 1006 (as amended from time to time) dated the 1st May, 1961, published in Part II Section 3 sub-section (ii) of the Gazette of India dated the 6th May, 1961:

For

11-A. Mr. S. M. Smith, Shaw Wallace and Co., 8/9, Thambu
Chetty Street, Madras. Owners.

Read

11-A. Mr. S. M. Smith, Shaw Wallace and Company Limited,
4, Bankshall Street, Post Box No. 70, Calcutta-1. Owners.

[No. 1(9)IA(IV)/60.]

J. S. BAKSHI, Under Secy.


(Indian Standards Institution)

New Delhi, the 11th September 1961

S.O. 2280.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution hereby notifies that the Standard Mark, design of which together with the verbal description of the design and the title of the relevant Indian Standard is given in the Schedule hereto annexed, has been specified.

This Standard Mark, for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the rules and regulations framed thereunder, shall come into force with effect from 21st September 1961.


THE SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Product to which applicable	No. & Title of Relevant Indian Standard	Verbal description of the design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
I		Packing Paper, Waterproof, Bitumen, Laminated	IS : 1398-1960 Specification for Packing Paper, Waterproof, Bitumen, Laminated	The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (2) the number designation of the Standard being superscribed on the top side of the monogram as indicated in the design.

[No. MD/17:2]

S.O. 2281.—In pursuance of sub-rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution hereby notifies that the Standard Mark, details of which are given in the Schedule hereto annexed has been rescinded with effect from 21st September 1961.

THE SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of product	No. and Title of the relevant Indian Standard	No. and Date of the Gazette Notification in which specifying of the Standard Mark was notified.
I	 WATERPROOF PAPER-13293	Waterproof Packing Paper	IS : 293-1951 Code for Seaworthy Packaging of Cotton Textiles	S.O. 2400 dated 31 October 1959.

[No. MD/17:2/A]

S.O.—2282—In modification of the Schedule of Marking Fee for Waterproof Packing Paper annexed to the Ministry of Commerce and Industry (Indian Standards Institution). Notification No. S.O. 1421 dated the 30th May 1960 published in the Gazette of India, Part II—Section 3—Sub-section (ii) dated the 4th June 1960, the Indian Standards Institution hereby notifies that the schedule of marking fee has been amended. The amended schedule hereto annexed shall come into force with effect from 21st September 1961.

THE SCHEDULE

Sl. No.	Product/Class of Product	No. and Title of the Relevant Indian Standard	Unit	Marking Fee per Unit
I	Waterproof Packing Paper	IS:1398-1960 Specification for packing Paper, Waterproof, Bitumen, Laminated	One Roll of 100 yards	6.5 naye paise, with a minimum of Rs. 1,000.00 for production during a calendar year.

[No. MD/18:2]

New Delhi, the 13th September 1961

S.O.—2283.—In partial modification of the rates of marking fee for rectified and denatured spirits, notified in the Schedules annexed to the Ministry of Commerce and Industry (Indian Standards Institution) Notifications No. S.R.O. 907 and S.O. 735 dated 19th March 1957 and 16th March 1960 published in the Gazette of India, Part II—Section 3—Sub-section (ii) dated 23rd March 1957 and 26th March 1960 respectively, the Indian Standards Institution hereby notifies the marking fees per unit for rectified and denatured spirits, details of which are given in the Schedule hereto annexed, have been revised. The revised rates of marking fee take effect for production certified on or after 1st October 1961.

THE SCHEDULE

Sl. No.	Product/Class of Products	No. & Title of the relevant Indian Standard	Unit	Marking Fee per Unit as revised
1	Rectified Spirit	IS : 323-1959 Specification for Rectified Spirit (<i>Revised</i>)	One Thousand Litres or One Thousand Bulk Gallons	Rs. 1.80 per unit for the first 900 units, Rs. 1.40 per unit for the next 1,400 units, 90 nP per unit for the 2,301st unit and over or Rs. 8.00 per unit for the first 200 units, Rs. 6.00 per unit for the next 300 units, Rs. 4.00 per unit for the 501st unit and over.
2	Denatured Spirit	IS : 324-1959 Specification for Denatured Spirit (<i>Revised</i>)	One Thousand Litres or One Thousand Bulk Gallons	Rs. 1.80 per unit for the first 900 units, Rs. 1.40 per unit for the next 1,400 units, 90 nP per unit for the 2,301st unit and over with a minimum of Rs. 2,000.00 for production during a calendar year. or Rs. 8.00 per unit for the first 200 units, Rs. 6.00 per unit for the next 300 units, Rs. 4.00 per unit for the 501st unit and over with a minimum of Rs. 2,000.00 for production during a calendar year.

[No. MD/18:2]

C. N. MODAWAL,
Deputy Director (Marks)

MINISTRY OF STEEL, MINES AND FUEL

(Department of Iron and Steel)

New Delhi, the 16th September 1961

S.O. 2284/ESS. COMM/Iron and Steel-15(1)/AM(52).—The following Notification issued by the Iron and Steel Controller under Sub-clause 1 of Clause 15 of the Iron and Steel (Control) Order, 1956, is published for general information:—

(NOTIFICATION)

In exercise of the powers conferred by Sub-clause 1 of Clause 15 of the Iron and Steel (Control) Order, 1956, and with the approval of the Central Government, the Iron and Steel Controller hereby notifies the following Amendment to

Schedule IV, of the consolidated Price Notification published under S.O. 2249-ESS. COMM/Iron and Steel-15(1) and 27(1) in Part II, Section 3(ii) of the Gazette of India dated 1st November, 1958, as amended from time to time:—

Amendment

Under Part II.—Special conditions for sale by Registered Producers,

For existing Clause 5.

Substitute the following:—

“All sales of Prime quality steel and Semis to Controlled Stockholders and Registered Stockholders and sales of Wire Rods in Coils to the Wire drawing Units only for drawing Wire by all Registered Producers including the Main Producers will be made at Col. I rate *f.o.r.*, destination station “freight paid” to the consignees’ siding, if any or to their nearest Railway Station”.

The above amendment will take effect from 3rd May, 1961.

C. V. RAMACHANDRAN,
Price and Accounts Officer
for Iron and Steel Controller”.

[No. SC(C)-2(150)/60.]

C. A. NAIR, Under Secy.

(Department of Iron & Steel)

New Delhi, the 19th September 1961

S.O. 2285/ESS. COMM/IRON AND STEEL-2(c)/AM (85).—In exercise of the powers conferred by sub-clause (c) of clause 2 of the Iron and Steel (Control) Order, 1956, the Central Government hereby directs that the following further amendment shall be made to the notification of the Government of India, in the Ministry of Steel, Mines and Fuel, No. S.R.O. 2041/ESS.COMM/IRON AND STEEL-2(c), dated the 11th June, 1957, as amended from time to time, namely:—

In the Schedule annexed to the said notification, in columns 2 and 3 thereof, against ‘OTHERS’, the following entry shall be added, namely:—

2

3

“ 50. District Controller of Stores (Construction),
Northern Railway, Robertsganj-Garhwa Road
Rail Project, Baroda House, New Delhi.

4 and 5 ”

[No. SC(A)-2(10)/61.]

M. C. MISRA, Dy. Secy.

MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

New Delhi, the 15th September 1961

S.O. 2286.—In exercise of the powers conferred by sub-section (3) of section 1 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), the Central Government hereby appoints the 2nd day of October, 1961, as the date on which the provisions of Chapters I and II of the said Act shall come into force in the Union Territory of Himachal Pradesh.

[No. 9-2/61-LD.]

K. C. SARKAR, Under Secy.

(Department of Agriculture)**(Indian Council of Agricultural Research)***New Delhi, the 14th September 1961*

S.O. 2287.—Under Section 4(ii) of the Indian Cotton Cess Act, 1923 (14 of 1923), the Central Government are pleased to appoint Dr. G. A. Patel, Director of Agriculture, Gujarat State, as member of the Indian Central Cotton Committee, Bombay to represent the State Department of Agriculture upto 31st March, 1964.

[No. 1-4/61-Com.IV.]

SANTOKH SINGH, Under Secy.

MINISTRY OF HEALTH*New Delhi, the 15th September 1961*

In the matter of Charitable Endowments Act, 1890 and in the matter of "the Lady Hardinge Hospital for Women and Children, Delhi, Fund."

S.O. 2288.—On the application of and with the concurrence of the Board of Administration for "the Lady Hardinge Hospital for Women and Children, Delhi, Fund" and in exercise of the powers conferred on it by Section 4 of the Charitable Endowments Act, 1890 (6 of 1890) the Central Government doth hereby, order and direct that the sum of Rs. 500.00 (Rupees five hundred only) received as an endowment from Dr. (Mrs.) Nirmala Devi Chand for the award of a medal to a student who stands first in Medicine in the final year of the MBBS class of the Lady Hardinge Medical College, New Delhi in the memory of her husband, the late Dr. Devi Chand Gupta, and invested in 4% Ten-year Treasury Savings Deposit Certificate No. DH008208 of the 19th April, 1961, shall vest in the Treasurer of Charitable Endowments for India.

[No. F. 4-47/61-MII.]

R. MURTHI, Under Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS**(Departments of Communications and Civil Aviation)***New Delhi, the 15th September 1961*

S.O. 2289.—In partial modification of Notification No. 20-CA(1)/60, dated the 23rd June, 1960, the Central Government, in consultation with the Air India International Corporation, has appointed Shri Rama Bahadur Singha as a member of the Advisory Committee of that Corporation, vice the late Shri M. Valiulla.

[No. 20-CA(1)/60.]

K. GOPALAKRISHNAN, Dy. Secy.

(Departments of Communications & Civil Aviation)**(P. & T. Board)***New Delhi, the 15th September 1961*

S.O. 2290.—In pursuance of sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following further amendments in the notification of the Government of India in the late Ministry of Communications (Posts and Telegraphs) No. S.R.O. 620, dated the 28th February, 1957, namely:—

In Part II of the Schedule to the said notification—

- (1) under the heading "Circle Offices and Returned Letter Offices", after the following entries in column 1:—

"Staff in Higher and Lower Selection Grades or posts on identical scales of pay; Stenographer to the Postmaster General; Wireless Investigating Inspector," the entry "Building Overseer" shall be inserted;

- (2) under the heading "Telegraph Engineering Divisions and Sub-Divisions", after the entries "Engineering Supervisor; Observation Supervisor" in column 1, the entry "Building Overseer" shall be inserted.
- (3) under the heading "Telephone Districts and Sub-Divisions of Telephone Districts", after the entries "Staff in Higher and Lower Selection Grades; Stenographer to the General Manager; Engineering Supervisor" in column 1, the entry "Building Overseer" shall be inserted.

[No. 44/27/60-DISC.]

N. K. NAIR,

Assistant Director General (SEA).

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 14th September, 1961.

S.O. 2291.—In exercise of the powers conferred by Section 82-B of the Indian Railways Act, 1890 (9 of 1890), read with sub-rule (1) of rule 4 of the Railway Accidents (Compensation) Rules, 1950, the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Railways (Railway Board) No. 893-TGIV/58/3, dated the 28th January, 1960, namely:—

In the Schedule annexed to the said notification

(1) the word "Bombay State" in column 1 with all entries Nos. 1 to 47 against it in column 2 shall be omitted.

(2) between the entries "Union Territory of Delhi" and "Himachal Pradesh" in column 1, the following entries shall be inserted in columns 1 and 2 namely:—

Gujarat

1. Civil Judge (Senior Division), Ahmedabad.
2. Civil Judge (Senior Division), Broach.
3. Civil Judge (Senior Division), Godhra.
4. Civil Judge (Senior Division), Nadiad.
5. Civil Judge (Senior Division), Surat.
6. Civil Judge (Senior Division), Baroda.
7. Civil Judge (Senior Division), Mehsana.
8. Civil Judge (Senior Division), Himatnagar.
9. Civil Judge (Senior Division), Palanpur.
10. Civil Judge (Senior Division), Bhavnagar.
11. Civil Judge (Senior Division), Jamnagar.
12. Civil Judge (Senior Division), Surendranagar.
13. Civil Judge (Senior Division), Rajkot.
14. Civil Judge (Senior Division), Gondal.
15. Civil Judge (Senior Division), Morvi.
16. Civil Judge (Senior Division), Junagadh.
17. Civil Judge (Senior Division), Porbandar.
18. Civil Judge (Senior Division), Bhuj.
19. Civil Judge (Senior Division), Amreli.

(3) between the entries "Madras" and "Mysore" in column 1, the following entries shall be inserted in columns 1 and 2 namely:—

Maharashtra

1. Civil Judge (Senior Division), Thana. (Claims arising out of minor accidents occurring within his jurisdiction as also claims arising out of accidents occurring within Greater Bombay.)

2. Civil Judge (Senior Division), Ahmednagar.
3. Civil Judge (Senior Division), Dhulia.
4. Civil Judge (Senior Division), Jalgaon.
5. Civil Judge (Senior Division), Nasik.
6. Civil Judge (Senior Division), Sholapur.
7. Civil Judge (Senior Division), Poona.
8. Civil Judge (Senior Division), Satara.
9. Civil Judge (Senior Division), Alibag.
10. Civil Judge (Senior Division), Kolhapur.
11. Civil Judge (Senior Division), Sangli.
12. Civil Judge (Senior Division), Aurangabad.
13. Civil Judge (Senior Division), Bhir.
14. Civil Judge (Senior Division), Nanded.
15. Civil Judge (Senior Division), Latur.
16. Civil Judge (Senior Division), Osmanabad.
17. Civil Judge (Senior Division), Parbhani.
18. Civil Judge (Senior Division), Akola.
19. Civil Judge (Senior Division), Washim.
20. Civil Judge (Senior Division), Buldhana.
21. Civil Judge (Senior Division), Khamgaon.
22. Civil Judge (Senior Division), Amravati.
23. Civil Judge (Senior Division), Achalpur.
24. Civil Judge (Senior Division), Daryapur.
25. Civil Judge (Senior Division), Yeotmal.
26. Civil Judge (Senior Division), Nagpur.
27. Civil Judge (Senior Division), Bhandara.
28. Civil Judge (Senior Division), Chanda.
29. Civil Judge (Senior Division), Wardha.

[No. 61-TGIV/1026/18.]

D. V. REDDY, Secy.

MINISTRY OF REHABILITATION

(Office of the Chief Settlement Commissioner)

New Delhi, the 13th September, 1961

S.O. 2292.—In exercise of the powers conferred by Sub-Section (i) of section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the states of Maharashtra, Gujrat, Andhra Pradesh, Mysore, Kerala and Madras Shri M. N. Mathur, Settlement Officer in the Office of the Regional Settlement Commissioner, Bombay, as Deputy Custodian of Evacuee Property for the purpose of discharging the duties assigned to the Custodian by or under the said Act with effect from the date he took over charge of his office.

[No. 6/20/56/AR(Per)/CSC/61.]

S.O. 2293.—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of section 16 of the Displaced Persons (Compensation & Rehabilitation) Act, 44 of 1954, the Central Government hereby appoints for the states of Maharashtra, Gujrat, Andhra Pradesh, Mysore, Kerala and Madras, Shri M. N. Mathur for the time being holding the post of Settlement Officer under the Regional Settlement Commissioner, Bombay as Managing Officer for the Custody, Management and disposal of Compensation Pool with effect from the date he took over charge of his post.

[No. 6/20/56/AR(Per)/CSC/61.]

KANWAR BAHADUR,
Settlement Commissioner and *Ex-Officio*, Dy. Secy.

(Office of the Chief Settlement Commissioner)

New Delhi, the 15th September, 1961

S.O. 2294.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the States of Gujrat, Maharashtra, Andhra Pradesh, Madras, Mysore and Kerala for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by Section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

[A SCHEDULE.

All properties in the States of Gujrat, Maharashtra, Andhra Pradesh, Madras, Mysore and Kerala which have vested in the Custodian under Section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officers under the provisions of the said Act, up to 31st August, 1961, and in respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officer..

[No. 1(27)/Com. Prop/61.]

M. J. SRIVASTAVA,
Settlement Commissioner and *Ex-Officio*,
Under Secy.

DELHI DEVELOPMENT AUTHORITY

New Delhi, the 12th September 1961

S.O. 2295.—In pursuance of the provision of sub-section (4) of Section 22 of Delhi Development Act, 1957, the Delhi Development Authority has replaced at the disposal of the Central Government the Nazul land described in the Schedule below:—

SCHEDULE

1. Nazul land measuring 2.331 acres (approx.) in Roop Nagar (Northern City Extension No. II), Delhi.

2. The above land is bounded as follows:—

Starting from an imaginary point situated towards south of the plot, 21' from the middle of Roshanara Police Station Road opposite to the Roshanara Police Station and 75' from the centre of the round-about connecting Roshanara Police Station Road, S. M. Road, and Roop Nagar Road No. 1, and proceeding 283'-4" towards north west along Roshanara Police Station Road and parallel to it upto the junction of Ardhchakar Road with Roshanara Police Station Road, then towards north east 397'-3" along Ardhchakar Road, then towards further North-East 83'-0" parallel to extension of Ardhchakar Road and then towards North-West 50'-0" skirting the latrine block and quarters, then towards East 95'-0", then towards South 315'-0", then towards South-West 26', thus meeting the compound wall of Patel Chest Institute quarters, running along the compound wall for a distance of 38' towards south east, then 238' towards South, then 143' towards South-West, meeting the original point.

[No. L. 2(57)61.]

R. K. VAISH, Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 13th September, 1961

S.O. 2296.—In exercise of the powers conferred by sub-section (1) of section 3 of the Indian Dock Labourers Act, 1934 (19 of 1934), the Central Government

hereby appoints Shri M. U. Rao, Assistant Regional Director, Regional Labour Institute, Madras, as Inspector for the purposes of the said Act within the local limits of the ports of Madras, Cochin and Vizagapatam.

[No. 15/51/61-Fac.]

B. R. KHANNA, Under Secy.

New Delhi, the 13th September, 1961

S.O. 2297.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras, in the industrial dispute between the employers in relation to the Madras Dock Labour Board, Madras and their workmen.

BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS

Wednesday, the twenty-third day of August, One thousand nine hundred and sixty one. (1st day of Bhadra, 1883—Saka).

PRESENT:

Sri K. Ramaswami Goundar, B.A., M.L.

Industrial Dispute No. 25 of 1961

(In the matter of the dispute between the Madras Dock Labour Board, Madras, and their workmen).

BETWEEN

The President-Secretary, The Tamilnadu National Harbour Workers' Union, 34, Ramaswamy Street, Mannady, Madras-1.

AND

The Chairman, Madras Dock Labour Board, North Beach Road, Madras-1.

REFERENCE.—No. 28/18/61/LR.IV, dated 27th July 1961 Government of India, Ministry of Labour and Employment, New Delhi.

ISSUE.—"Whether the refusal of the Dock Labour Board, Madras to renew the registration of 169 ex-temporary Reserve Pool Mazdoors (mentioned below) with effect from 1st January 1959 amounts to "retrenchment"? If so, to what relief they are entitled?"

Sl. No.	Name of the worker	Token No.
1.	P. Kailasam	2010
2.	K. Muniswamy	2011
3.	S. Kuppuswamy	2012
4.	Muniswamy	2013
5.	S. Vadivelu	2014
6.	K. Raju	2015
7.	M. Raju	2016
8.	M. A. Ramalingam	2017
9.	K. Radhakrishnan	2018
10.	R. Desappan	2019
11.	P. Munuswami	2020
12.	P. Radha	2021
13.	S. Kannan	2022
14.	M. S. Madhaar	2023
15.	D. Muthukannan	2025
16.	M. Elumalai	2024
17.	B. Gnankkan	2026
18.	K. Narayanan	2027
19.	M. Perumal	2028
20.	M. Raju	2029
21.	M. Selvaraju	2030
22.	K. Mani	2031
23.	D. Palayam	2032
24.	M. Murugesan	2033
25.	M. Jagannathan	2034
26.	T. Elumalai	2035
27.	D. Munuswami	2036

Sl. No.	Name of the worker	Token No.
28.	S. Gnanam	2037
29.	Perumal	2038
30.	Kanni Raju	2039
31.	A. Chandran	2040
32.	M. M. Moideen	2041
33.	S. Kuppuswami	2042
34.	S. Veerappan	2043
35.	Raju	2044
36.	T. Muniswami	2045
37.	M. Thampiran	2046
38.	C. B. Muniswami	2047
39.	M. Durai	2048
40.	M. Subramani	2049
41.	D. Govindan	2050
42.	A. Vellai	2051
43.	S. Ethiraju	2052
44.	S. Karuppan	2053
45.	N. Thangavelu	2054
46.	M. Muniswami	2055
47.	C. Raju	2056
48.	K. Kuppuswami	2057
49.	M. Arumugam	2058
50.	M. Paramasivam	2059
51.	M. Rajalingam	2060
52.	C. Anandan	2061
53.	Dhanapal	2062
54.	Chithravelu	2063
55.	A. Raju	2064
56.	S. Durai Raju	2065
57.	E. Mani	2066
58.	R. Krishnan Nair	2067
59.	Jagannathan	2068
60.	P. Elumalai	2069
61.	A. Palayam	2070
62.	S. Manickam	2071
63.	A. Raju	2072
64.	Sundara Raju	2073
65.	C. Arasan	2074
66.	A. Nagamuthu	2075
67.	Karuppan	2076
68.	J. Raju Pillai	2077
69.	M. Mani	2078
70.	Kamalanathan	2079
71.	P. Ranganathan	2080
72.	N. Kathavarayana	2081
73.	P. Ranganathan	2082
74.	R. Varadhan	2083
75.	N. Krishnan	2084
76.	K. Subramani	2085
77.	T. Krishnan	2086
78.	K. Anthony Cruz	2087
79.	A. Kuppuswami	2088
80.	V. Perumal	2089
81.	A. Raju	2090
82.	V. Bakthavatsalam	2091
83.	Mahimaidoss	2092
84.	M. Raju	2093
85.	M. Krishnan	2094
86.	K. Raju	2095
87.	K. Muniswami	2096
88.	M. Veeraraghavan	2097
89.	G. Vedagiri	2098
90.	V. Govindaswami	2099
91.	G. Narayanaswami	2100
92.	P. Govindan	2101
93.	I. Porooran	2102
94.	Murugesan	2103
95.	Doraiswami	2104

Sl. No.	Name of the worker	Token No.
96.	Chadayandi	2105
97.	M. Muthu	2106
98.	V. Kathavarayan	2107
99.	C. Perumal	2108
100.	Ponnuswami	2109
101.	M. Arumugam	2110
102.	S. Munusami	2111
103.	Ekambaram	2112
104.	R. Adimoolam	2113
105.	S. Pachayappan	2114
106.	I. Ponnuswami	2115
107.	S. Balan	2116
108.	K. Devaraju	2117
109.	M. A. Muniswami	2118
110.	P. Ganesan	2119
111.	M. Veeraraghavan	2120
112.	S. Saminathan	2121
113.	Babu	2122
114.	T. A. Raju	2123
115.	M. Kannayyan	2124
116.	K. Raju	2125
117.	R. Shanmugam	2126
118.	K. Krishnan	2127
119.	Natarajan	2128
120.	C. Murugesan	2129
121.	D. Natarajan	2130
122.	G. Shanmugham	2131
123.	R. Nagiah	2132
124.	T. Joseph	2133
125.	C. R. Durai	2134
126.	M. S. Munuswami	2135
127.	K. Sundaram	2136
128.	D. Subramani	2137
129.	T. Muniswami	2138
130.	Perumal	2139
131.	E. W. Natesan	2140
132.	M. Nathan	2141
133.	T. Narayanan	2142
134.	V. Chinnathamby	2143
135.	Muniswami	2144
136.	Govindaswami	2145
137.	M. Arumugam	2146
138.	M. Ganesan	2147
139.	Elumalai	2148
140.	R. Ramachandran	2149
141.	I. Muthu	2150
142.	Rajalingam	2151
143.	Raman Nair	2152
144.	Selvan	2153
145.	Masilamani	2154
146.	M. Balan	2155
147.	G. Venkatesan	2156
148.	P. Kesavan	2157
149.	Janarthanam	2158
150.	P. Kandasami	2159
151.	Ganesan	2160
152.	Muniswami	2161
153.	Chinnappan	2162
154.	K. Kuopuswami	2163
155.	C. Kaliyappan	2164
156.	F. Batcha	2165
157.	M. Rajalingam	2166
158.	M. Paramasivam	2167
159.	C. Velayudham	2168
160.	Shanmugham	2169
161.	Sengalan	2170
162.	K. Munisami	2171
163.	A. Krishnan	2172

Sl. No.	Name of the worker	Token No.
164.	R. Kumaraswami	.. 2173
165.	G. Chinna Raju	.. 2174
166.	M. Doss	.. 2175
167.	Gangadharan	.. 2176
168.	Padmanabhan	.. 2177
169.	Rajamanickam	.. 2179

This dispute coming on for hearing on Monday and Tuesday the 21st and 22nd days of August 1961 and this day, upon perusing the reference, the Claim and Counter Statements and other material papers connected therewith, and upon hearing the arguments of Sri K. Prabhu, President-Secretary, Tamil Nadu National Harbour Workers' Union, Madras on behalf of the Union and of Messrs V. V. Raghavan and V. Srinivasan, Advocates on behalf of the Madras Dock Labour Board, the Tribunal passed the following.

AWARD

This is a reference made by the Central Government of a dispute between the Madras Dock Labour Board and some of their workmen. The number of workmen directly concerned in the dispute is 169, set out in the appendix to the reference. The question referred for adjudication is whether the refusal of the Dock Labour Board, Madras to renew the registration of these 169 Mazdoors with effect from 1st January 1959 amounts to retrenchment, and if so, to what relief they are entitled.

2. The Madras Dock Labour Board is a statutory body constituted under clause 4 of the Madras Dock Workers (Regulation of Employment) Scheme, 1956, framed under the Central Act IX of 1948. It is unnecessary to refer to the details of the scheme, and it is enough to state that under clause 15(2) the workers' registers shall be maintained in the forms prescribed by the Board. These workers are stevedore workers, and in regard to them, the registers prescribed are two in number: (1) Monthly register, that is a register of workers who are engaged by each stevedore on contract on monthly basis known as monthly workers; the present workers do not fall under this category; (2) Reserve Pool Register; that is, Register of workers other than those on the monthly register and known as Reserve Pool workers. The present workers fall under this category. This register shall also include a sub-pool of stevedore mazdoors to fill casual vacancies. In addition to the Reserve Pool workers, under clause 18(4), the Board may from time to time permit the registration of workers temporarily for such periods and on such terms and conditions of service as the Board may specify. The workers registered temporarily shall be entitled to attendance allowance under clause 32 and shall have the same obligations as registered dock workers in the reserve pool.

3. It is an admitted fact that all these 169 workers were registered as temporary reserve pool workers under clause 18(4). Most of them have been dock workers since the year 1954 when they were working only as casuals, and it was only in January 1957 that these workers were registered as temporary workers. These and others, in all 332 workers, were temporarily registered. The reason for the recruitment of such temporary workers was that in June 1956 the Port Trust introduced a third shift as an experimental measure. Accordingly, orders of appointment were issued to individual workers—*vide* one such order Ex. W-1. That order clearly states: "you have been selected for registration on a temporary basis for the period ending 30th June 1957 in the Madras Dock Labour Board as a mazdoor." Clause 4 of that order specifically states that the registration is purely temporary and is liable to be cancelled without notice and without assigning any reason whatsoever. Such orders were issued in pursuance of the proceedings of the Board, Ex. M-1, dated 27th December 1956. It was resolved that 332 mazdoors be temporarily registered for the period ending 30th June 1957 and that the whole position shall be reviewed in June 1957. In June 1957, the Board resolved, by their resolution Ex. M-2, to extend the temporary registration of the existing 332 workers upto 31st December 1957 in view of the extension of the third shift by the Madras Port Trust till then.

4. The Port Trust then decided that the third shift shall continue to work as at present till the date of the introduction of the piece rate scheme with effect from 1st March 1958. Till then the workers were daily rated, and from that date the system was changed to piece-rate. As a result, the working of the third shift itself became restricted to vessels with (1) Bulk imports like sulphur, phosphates,

(2) Bulk exports of ore; and (3) any other vessel in the Traffic Manager's discretion. In view of this situation, the Chairman of the Board, in his note Ex. M-3, recommended that extension of the temporary registration may be till 28th February 1958 subject to a review of any additional workers on the restricted basis of the third shift. This recommendation of the Chairman was accepted by the Board. The result was that these temporary workers were continued as such till the end of February 1958.

5. In February 1958, the Board constituted a Gang Composition Committee to go into this and other questions in view of the introduction of the piece-rate system and the restricted scope of the third shift from 1st March 1958. That was a Committee composed of the representatives of all the parties. According to the findings of the Committee, the additional requirement, in the circumstances, would be only 153 workers. The Committee therefore unanimously recommended that this requirement of 153 workers might be taken from the existing 332 temporarily registered workers and absorbed into the Reserve Pool with effect from the date of introduction of the Piece Rate Scheme. The selection of those 153 workers was not arbitrary, but was made by the Registration Committee after interviewing all the 332 temporary workers. The result was that these 169 workers alone were left out, and their position continued to be the same as before. However, the Gang Committee recommended that these remaining temporary workers might be continued to be kept on the temporary register for a further period of six months from the date of introduction of the Piece Rate system on the existing terms and conditions, the position to be reviewed at the end of that period. The Committee further recommended that if the employment position during those six months showed that their estimates were low, then the temporary workers might be absorbed in the Reserve Pool to that extent, but if they were found to be either correct or in excess, the temporary registration of those workers might be cancelled. The Gang Committee's report Ex. M-4 was accepted by the Board in its resolution Ex. M-4(a).

6. Thus it will be seen that these and other workers, in all 332, were taken on a temporary basis as a result of the introduction of the third shift by the Port Trust authorities. The daily rated system was converted into piece rate, and further the scope of the third shift itself became restricted, as from 1st March, 1958. The labour requirement was therefore left to be examined by a Committee, in which all interests were represented, and on their unanimous recommendation 153 of the temporary workers were taken into the Reserve Pool and these 169 workers were left in the temporary register as before. In these circumstances, there is utterly no basis for the suggestion put forward by the union that these workers have been made the objects of victimisation by the Board. On the other hand, the facts stated above will clearly show that this statutory body was anxious to help these workers as far as possible and that on the recommendation of the Committee they could absorb only 153 of the temporary workers, and not all the 332. The remaining 169 workers were not removed from the temporary register even then but were continued for another six months, so that if the labour position improved they too could be absorbed in the Reserve Pool.

7. In September 1958, when the further extension of six months for these temporary workers expired, there was a meeting of the Board on 18th September 1958—*vide* the proceedings Ex. M-5, paragraph 3, relating to temporary registration of workers. During that meeting Sri Iyengar, representing the workers, drew the attention of the Board to the fact that casuals were being engaged after exhausting the Reserve Pool and the temporary workers and therefore there was a clear case for absorbing all the 169 temporary workers into the Reserve Pool. That position was contested by Sri Lakshmipathy Naidu representing the employers. The Board resolved to defer consideration of the question to the next meeting and in the meantime the status quo in respect of these workers was to be maintained.

8. The next meeting of the Board was in December 1958—*vide* the proceedings Ex. M-6. The Chairman's note of address to that meeting recommended the deletion of the 169 workers from the temporary register. There was a debate on that question and after a discussion, the Board resolved (3 members dissenting) to delete the names of all the 169 workers from the register of temporary workers with effect from 1st January, 1959. The Board further resolved to give preference in filling up permanent vacancies in the Reserve Pool register to these workers and to utilise them as casuals in preference to others whenever the necessity arose. In pursuance of these resolutions, these 169 workers were deleted from the temporary register and treated as casuals, and it is admitted that they are being given work even now only as casuals. It will be seen that in the circumstances stated above, this is the utmost that the Board could do for these workers.

These and other workers were employed on temporary basis because of the introduction of the third shift which itself was tried only as an experimental measure. It is true that the third shift continues even now. But then, in March 1958, the daily rated system was transmuted into piece rated system. That affected the strength of the labour force. And further, the scope of the third shift, as stated above, became restricted. And so, all the 332 temporary employees were no longer required. That decision was reached by the Board only on the recommendations of a joint committee comprising all interests. On the recommendations of that Committee, the Board could take into the Reserve Pool register only 163 and not all the 332. The Board did not even then act in a hurry in regard to these remaining 169 workers. They were continued till the end of the year 1958, so that the Board might watch the position and consider whether there would be any room for the expansion of the labour strength. But at the end of the year, in the opinion of the Board, further expansion was not possible, and so the Board resolved to delete the names of these 169 workers from the temporary register and treat them as casuals. However, they resolved to give preference to these workers in filling up the permanent vacancies in the Reserve Pool register and also to utilise them till then as casuals in preference to outsiders. It is clear that in the circumstances nothing more could have been done by the Board in favour of these workers. There is absolutely no room for the suggestion that these 169 workers had been let down by Sri Iyengar or that this is a case of victimisation by the Board. On the other hand, the Board has been throughout very fair, and I may even say generous, to these workers particularly in passing the second resolution of December 1958.

9. On these facts, it will not be possible to hold that these 169 workers were ever retrenched. It was a cessation of service by efflux of time. There was no termination of service by the employer to constitute retrenchment. They were not in service after 1958, and the employer did not give them only further employment by refusal to give further extension. The employer did not put an end to any subsisting employment. They were never in the regular reserve pool as the order Ex. W/1 and the resolution Ex. M-1 would show. They were all employed on a temporary basis to meet the requirements of the third shift, which was itself temporary. Though it still continues, its scope became restricted in March 1958, when the actual requirement was assessed by a committee, and that amount of requisite temporary labour force was transferred to the Reserve Pool. It is argued by Sri Prabhu representing the workers in this enquiry, as did Sri Iyengar in the proceedings of the Board of September 1958, that in view of the fact that even casuals are employed, there is a case for the confirmation of these temporary workers. But there are also arguments contra, which will be found in those proceedings as well as in the subsequent proceedings Ex. M-6. The extent or the quantum of the labour force required is a matter to be determined by the employer. If more hands are needed in the future, I dare say the Board will absorb these temporary workers in pursuance of its second resolution of December 1958. Unwanted labour cannot now be forced on the Board by transferring them into the Reserve Pool. Having regard to the nature and the scope of their employment, they have clearly no right to make that demand. Their deletion from the temporary pool was not a case of retrenchment, but automatic extinction of service on the expiry of the temporary period for which they were specifically appointed. The fact that they had been engaged as temporary workers during the years 1957 and 1958 does not clothe them with any right to be placed on a permanent footing. This is certainly not a case of unfair labour practice on the part of the Board, namely that even though these workers could be transferred to the Reserve Pool they were purposely kept on a temporary or casual basis. If at any time in the future the third shift becomes a permanent feature and demands a greater requirement of labour, then it will be open to these workers to press their demand for a permanent footing. For that end, their only anchor of safety is the second resolution of December 1958. So far as the present reference is concerned, as this is not a case of retrenchment, these workers are not entitled to any relief.

10. These 169 workers were originally members of Sri Iyengar's union, namely the Madras Harbour Workers' Union. As stated above, Sri Iyengar tried his best to help these workers in the meetings of the Board, but he was helpless. He is a member of the Board and was also a member of the Gang Committee. They therefore left his union and formed an independent union under the name of Tamilnadu National Harbour Workers Union. It is only that union that appears in this enquiry and not the other two unions which are not supporting the cause of these workers. As stated above, these workers are stevedore mazdoors, and belonging to that group there are over 1,400 workers in the reserve pool. It was therefore the contention of the learned counsel for the Board that this union cannot raise an industrial dispute on behalf of these workers alone when a large majority of workers are not supporting this dispute. Sri Prabhu for the union

contended that these 169 workers form a distinct category and therefore they can raise a dispute independently of the other mazdoors. It must be remembered that so far as the nature and the character of the work goes, all these mazdoors are doing the same type of work. No authority has been cited and I am not sure that out of these mazdoors those who are temporary can alone be regarded as forming a distinct category or group so as to enable them to raise an industrial dispute. But I do not consider it necessary to pursue this point further in view of my finding on the merits of this dispute that these workers are not entitled to any relief. This union has filed a few letters, being the letters addressed by it to the Board and other authorities. They merely reiterate the claim put forward on behalf of these workers, and I do not consider any reference to that correspondence as necessary (Exs. W-2 to W-10). Ex. W-11 is the report of the Conciliation Officer which only sets out the contentions of the respective parties and the failure of his efforts.

11. The result is that this reference must be answered in the negative and against the workers:

(Sd.) K. RAMASWAMI GOUNDAR,
Industrial Tribunal.

(True Copy)

(Sd.)
Head Ministerial Officer.

[No. 28/18/61/LR.IV.]

S.O. 2298.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi, in the industrial dispute between the employers in relation to the Punjab National Bank Limited and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL: DELHI

PRESENT:

Shri E. Krishna Murti, Central Government, Industrial Tribunal, Delhi.

23rd August, 1961

I.D. No. 190 OF 1961

BETWEEN

The employers in relation to the Punjab National Bank Ltd., Head Office, New Delhi.

AND

Their workman, as represented by the General Secretary, Punjab National Bank Employees' Union, Katra Shahanshahi, Chandni Chowk, Delhi.

Shri M. K. Jain *for the management.*

Shri P. L. Syal *for the workman.*

AWARD

By G.O. No. 10(83)/60-LRIV, dated 1st June, 1961, the Industrial dispute, between the employers in relation to the Punjab National Bank Ltd., Head Office, New Delhi, and their workman, as represented by the General Secretary, Punjab National Bank Employees' Union, Katra Shahanshahi, Chandni Chowk, Delhi, has been referred to this Tribunal for adjudication under Section 10(1)(d) and 12(5) of the Industrial Disputes Act, 1947.

2. The term of reference is as follows:—

“Whether having regard to the duties performed by him, Shri Sohan Lal of Chawri Bazar Branch of the Bank is entitled to the special allowance prescribed for Assistant Cashiers in paragraph 164(b) of the Award of the All India Industrial Tribunal (Bank Disputes) as modified by section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955 and, if so, from which date after the 3rd May, 1959?”

3. The case of the workman, Shri Sohan Lal, is, that he was appointed in the Punjab National Bank as a Hindi Presenter-cum-Assistant Cashier, that he had been so working from the date of joining, that he was being paid the salary and

other emoluments of a member of the subordinate staff, that he is entitled to be paid the emoluments of an Assistant Cashier, and that the amount, as claimed, is due.

4. No written statement was filed on behalf of the management of the Bank.

5. When the matter came on for hearing, both parties reported a settlement in terms of Ext. M/1, and they are as follows:—

- “(i) That Shri Sohan Lal will be treated as a Cashier with effect from 1st January, 1956 without payment of any arrears of any type or any increment in the clerical scale till 3rd May 1959.
- (ii) That the basic pay drawn by him as on 3rd May, 1959 will be fixed in the clerical scale and future increments will be allowed accordingly.
- (iii) That arrears if any, will be paid to him from 3rd May, 1959.

For the Punjab National Bank Ltd.

Sd/- M. K. JAIN,
22/8/61.

For Punjab National Bank Employees' Union, Delhi.

Sd./- P. L. SYAL,
General Secretary,
New Delhi, dated 22-8-1961.”

6. The said compromise is accepted.

7. In the result, an award is passed in terms of the compromise, Ext. M/1, as set out above.

The 23rd August, 1961.

E. KRISHNA MURTI,

Central Government, Industrial Tribunal: Delhi.

[No. 10(83)/60-LRIV.]

New Delhi, the 15th September, 1961

S.O. 2299.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Labour Court, Delhi, in the matter of applications under section 33A of the said Act from certain ex-employees of the Punjab National Bank Limited.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT LABOUR COURT AT DELHI

PRESENT :

SHRI E. KRISHNA MURTI,

Central Government Labour Court at Delhi

21st August, 1961.

Applications U/S. 33A of the Industrial Disputes Act, 1947.

I.D. Nos. 155 to 157 of 1961

I.D. No. 155 of 1961 Shri R. S. Mani, 6, Ramaswamy Pillai St., Purasawalkem, Madras-7.

I.D. No. 156 of 1961 Shri P. Kuppuswami, 38, General Muthia Mudali St., Madras-1.

I.D. No. 157 of 1961 Shri M. M. Srinivasan, 53, Perumal Mudali St., Madras-1.—
Applicants.

Versus

The Punjab National Bank Ltd., Parliament Street, New Delhi.—*Opposite Party.*

Shri T. N. K. Nayar *for the management.*

Shri S. Somasundaram and Shri Kohli *for the workmen.*

In the matter of Complaint No. 61, 78 and 80 of 1961 respectively in Ref. No. 1 of 1960, pending before the N.I.T. (Bank Disputes), Bombay-1.

AWARD

These three petitions have been filed under Section 33A of the Industrial Disputes Act.

I.D. No. 155 of 1961.

2. The petitioner herein is Shri R. S. Mani, and it is alleged on his behalf, that he was employed as a Godown Chowkidar in the Armenian Street, Madras Branch, of the Punjab National Bank Ltd., that he completed over 3½ years of service as on 8th January, 1961, that he got notice of termination of service as from 8th January, 1961, that such termination is unlawful, that the opposite party has contravened Section 33 of the Industrial Disputes Act, that the termination of service of the petitioner should be set aside, and that he should be re-instated, together with back wages.

3. The contention on behalf of the Bank is, that there is no contravention of Section 33 of the Industrial Disputes Act, that the termination of service of the workman amounts to a discharge simpliciter, that he was not dismissed for misconduct, that, apart from this, he was employed only temporarily, and his services were liable to be terminated accordingly, that he also verbally refused to reside in the factory premises, that the termination of service is valid, and that the workman is not entitled to any relief.

4. The issues, that arise for determination, are:—

- (1) Whether there is a contravention of Section 33 of the Industrial Disputes Act?
- (2) Whether the application, as brought, is maintainable?
- (3) Whether the termination of service of the workman is lawful?
- (4) Is the petitioner entitled to re-instatement and/or compensation?
- (5) To what relief, if any, is the petitioner entitled?

I.D. No. 156 of 1961.

5. In this petition it is alleged by the petitioner, Shri P. Kuppuswami, that he was a workman of the Punjab National Bank, employed as a Godown Chowkidar in Armenian Street, Madras Branch, that he had completed over three years of service as on 16th January, 1961, that he is governed by the provisions of the Sastry Award, that he was served with a notice of termination of service as from 16th January, 1961, that such termination is unlawful, that the same should be set aside, and that the workman should be re-instated, together with back wages.

6. The contention on behalf of the Bank is, that there is no contravention of Section 33, that the workman was appointed temporarily, that his services were liable to be terminated accordingly, that this is a case of discharge simpliciter, that it is in accordance with the service conditions, that further the workman refused to reside in the factory premises, in spite of the fact, that he was expected to keep a general watch over the godown all the time, and that the workman is not entitled to any relief.

7. The following issues arise for determination:—

- (1) Whether there is a contravention of Section 33 of the Industrial Disputes Act?
- (2) Whether the application, as brought, is maintainable?
- (3) Whether the termination of service of the workman is lawful?
- (4) Is the petitioner entitled to re-instatement and/or compensation?
- (5) To what relief, if any, is the petitioner entitled?

I.D. No. 157 of 1961.

8. The petitioner herein, Shri M. M. Srinivasan, states that he was employed as a Godown Chowkidar in Armenian Street, Madras Branch of The Punjab National Bank, that he had completed nearly three years of service as on 16th January, 1961, that he got notice of termination of service as from 16th January, 1961, that such termination of service is unlawful, that the Bank has violated Section 33 of the Industrial Disputes Act, and that the Bank should be directed to re-instate the workman together with back wages.

9. The contention on behalf of the workman is, that the petitioner was appointed temporarily, that his services were liable to be terminated accordingly, that there is only a case of discharge simplicitor, that there is no contravention of Section 33, that the petition, as brought, is not maintainable, that the order of termination of service is not liable to be set aside, and that the workman is not entitled to re-instatement, or back wages.

10. The following issues arise for determination:—

- (1) Whether there is a contravention of Section 33 of the Industrial Disputes Act?
- (2) Whether the application, as brought, is maintainable?
- (3) Whether the termination of service of the workman is lawful?
- (4) Is the petitioner entitled to re-instatement and/or compensation?
- (5) To what relief, if any, is the petitioner entitled?

Issues No. 3 and 4 in all the three petitions.

11. All these three petitions have been tried together at the request of parties, as common points arise for determination, and they are all disposed of by a common judgment.

12. Both parties have disposed with oral evidence, and they have contented themselves by producing documentary evidence.

13. The several petitioners were employees of the Armenian Street, Madras Branch of The Punjab National Bank, and they were all employed as Godown Chowkidars. They received notices of termination of service. Their contention is, that such termination is unlawful, that the order of termination should be set aside, and that the Bank should be directed to re-instate them, together with back wages.

14. The contention on behalf of the Bank is, that these persons were appointed temporarily, and that their services were liable to be terminated accordingly, that such termination is valid, and that the workmen are not entitled to the relief claimed.

15. I shall refer to the documents with regard to each of these workmen. In I.D. No. 155 of 1961, the petitioner Shri R. S. Mani was appointed according to Ext. W/1, the order of appointment, dated the 18th June, 1957. That shows, that the workman had filed an application dated 17th June, 1957, for appointment in the Bank as Godown Chowkidar. The Bank informed the petitioner, that he was appointed as Godown Chowkidar in a temporary vacancy on a purely temporary basis with effect from 18th June, 1957 on a salary of Rs. 40 plus the usual allowances, admissible under the Award. It is further stated in Ext. W/1, that the appointment was on a purely temporary basis for the account of M/s. K.C.P. Limited. The workman's services were liable to be terminated at any time during the currency of the account by giving him 14 days notice, and would come to an automatic end on the adjustment of the said account, or when the party refused to pay to the Bank the salary of the Godown Chowkidar. There is a further clause that he would be governed by the rules and regulations of the Bank. Ext. W/1 contains an endorsement, that Shri R. S. Mani acknowledged receipt of the order of appointment on the terms and conditions of service mentioned therein, that he confirmed, that his appointment was on a purely temporary basis, and that he agreed to be bound by the terms and conditions in the letter of appointment. Ext. W/2 is the order of the management dated the 24th December, 1960, wherein the petitioner was informed, that in terms of the appointment order of 18th June, 1957, the petitioner's services were to stand terminated on and with effect from Sunday the 8th January, 1961.

16. In I.D. No. 156 of 1961, Ext. W/2 is the order of appointment dated the 22nd November, 1957, Shri P. Kuppuswami was informed with reference to the application dated the 19th November, 1957, for appointment in the Bank, that he was appointed as a Godown Chowkidar, in a temporary vacancy, and on a purely temporary basis, with effect from 22nd November, 1957, on a salary of Rs. 40 plus usual allowance admissible under the Award. The workman was further informed, that his appointment was on a purely temporary basis for the account of M/s. Ramkrishnan Kulwantraal. His services were liable to be terminated at any time during the currency of the account by giving him 14 days' notice, and would come to an automatic end on the adjustment of the said account, or when the party refused to pay to the Bank the salary of the Godown Chowkidar. There is also a clause, that the workman would be governed by the rules of the Bank in force from time to time, and other regulations applicable to his cadre. There is

an endorsement at the bottom, that Shri Kuppuswami accepted the letter of appointment on the terms and conditions mentioned therein, and that he confirmed, that his appointment was only on a purely temporary basis, and that he agreed to be bound by the terms and conditions mentioned in the letter of appointment. Ext. W/1 is a letter of the Punjab National Bank, addressed to Shri Kuppuswami, the petitioner herein. He was instructed to look-after the godown of M/s. Seth Nanakchand Shadiram, besides that of M/s. Ramkrishan Kulwantrai, on the same terms and conditions, as mentioned in the letter of appointment dated 22nd January 1957. Ext. W/3 dated 21st November, 1958, is an office order stating, that, as the account of M/s. Ramkrishan Kulwantrai had been adjusted, Shri P. Kuppuswami was given 14 days notice, and that his services were no longer required. Ext. W/4 dated the 24th November, 1958, is another order of appointment in the Bank as Godown Chowkidar, on the same terms and conditions as in Ext. W/2. The workman was informed, that his appointment was only on a purely temporary basis for the account of M/s. South India Corporation (Agencies) Private Limited. Ext. W/5 is the order dated the 2nd January, 1961, by which the workman was informed, that in terms of his appointment order, his services were not required with effect from 16th January, 1961.

17. In I.D. No. 157 of 1961, Ext. W/1 is a copy of the order of appointment of Shri M. M. Srinivasan dated 18th February, 1958. It is to the effect, that with reference to his application dated 17th February, 1958, Shri Srinivasan was appointed as a Godown Chowkidar in a temporary vacancy on a purely temporary basis with effect from 18th February, 1958, on a salary of Rs. 40 plus allowance, admissible under the Award. There is a further clause, that the appointment was on a purely temporary basis for the account of M/s. Seth Nanakchand Shadiram. The workman's services were however liable to be terminated at any time during the currency of the account, after giving him 14 days notice, and would come to an automatic end on adjustment of the account, or when the party refused to pay to the Bank the salary of the Godown Chowkidar. There is a further clause, that the workman would be governed by the rules of the Bank in force from time to time. It is admitted before me in the course of arguments by Shri Somasundaram, who appeared for the petitioner, that this order of appointment also contained an endorsement signed by the workman, Shri Srinivasan, that he accepted the terms and conditions of the appointment letter in the same terms, as contained in the orders of appointment of the other two workmen. By Ext. W/2 dated 4th September, 1959, Shri Srinivasan was informed, that, as M/s. Seth Nanakchand Shadiram were closing their account with the Bank, and in accordance with the conditions laid down in the second paragraph of the appointment letter dated 18th February, 1958, Shri Srinivasan's services would be terminated with effect from 19th September, 1959, allowing him 14 days notice period. Ext. W/3 is a further appointment order dated 14th September, 1959, in the same terms as Ext. W/1, except that it is mentioned therein, that the salary was to be Rs. 42 per month, and the appointment was to be on a purely temporary basis for the account of M/s. M. C. Sundararajan & Co. This also contains an endorsement by Shri Srinivasan under his signature, that he accepted the letter of appointment on the terms and conditions mentioned therein, and that he confirmed, that the appointment was only on a purely temporary basis, and that he agreed to be bound by the terms and conditions of appointment. Ext. W/4 dated 2nd January, 1961 is an order issued by the Bank, stating, that the workman's services would not be required on and with effect from 16th January, 1961.

18. The contention of Shri Somasundaram on behalf of all the three petitioners is, that they had put in a considerable period of service, that Sarvashri Mani and Kuppuswami had put in more than three years of service, that Shri Srinivasan had worked for nearly three years, and that the termination of their service is abrupt and arbitrary and without any reason, and that the same is unlawful, and must be set aside.

19. The contention on behalf of the Bank is, that the termination of service of the three workmen in question is according to the terms of the letters of appointment, issued to them, and accepted by them, and that such discharge is *bona fide*, and that it amounts to a discharge simpliciter. It may be noticed in this connection, that in the counter statement filed by the Bank in all the three petitions, it is stated, that all the three workmen refused to reside in the factory premises, whereas they were bound to keep a general watch over the godowns all the time, and that, therefore, the notice of termination was rightly given. There is no evidence adduced on behalf of the Bank, in support of this allegation, and the same has not been proved. The termination of service cannot be upheld, on the ground of disobedience of the Bank's order, as alleged in the counter statement.

20. However, in my opinion, the workmen are not entitled to call in question the orders of termination of service, because the orders of termination are in accordance with the orders of appointment, issued to the respective workmen. The workmen were appointed purely on a temporary basis. Their services were liable to be terminated on the close of the account of the customer concerned with the Bank, or even during the continuance of the account of the customer by giving 14 days' notice. All the three workmen agreed to the terms of appointment, as contained in the appointment letters, and they also confirmed, that they were appointed purely on a temporary basis, and that they agreed to be bound by the terms and conditions mentioned in the letters of appointment. When the letters of appointment contain a clause, that the workmen's services were liable to be terminated on giving 14 days' notice, even during the continuance of the account of the customers, for whose goods the several workmen were appointed as Godown Chowkidars, it is not open to the petitioners to call in question the several notices of termination of service, issued by the Bank. It is however argued on behalf of the workmen, that the termination of service of the several petitioners is against the terms of the Sastry Award. Paragraph 508(c) defines a "temporary employee" (page 141) as follows:—

"Temporary employee means an employee, who has been appointed for a limited period of work, which is of an essentially temporary nature, or who is employed temporarily as additional employee in connection with a temporary increase in work of a permanent nature."

21. The contention on behalf of the workmen is, that the work of giving accommodation by the Bank to customers is of a permanent nature, and that the Service of Godown Chowkidars must be deemed to be of a permanent nature. But what is contended on behalf of the Bank is, that these several workmen were appointed only for a limited period for work, which was essentially of a temporary nature. It is urged, that these workmen were appointed as Godown Chowkidars in connection with the accounts of certain concerns, who had been given accommodation by the Bank, that it was open to these customers, to close their accounts at any time, and seek accommodation elsewhere, that accordingly their work was only of a temporary nature, and that it was on account of this, that these workmen were specifically informed, that their services were liable to be terminated with 14 days' notice. There is force in the contention raised on behalf of the Bank. The Godown Chowkidars were to continue only when there was the account of the parties, who had been given accommodation only on a short term basis. Even assuming, that the accounts were continued from time to time, they were liable to be closed at any time, and the party in question could seek accommodation elsewhere on better terms from other Banks. It is true, that it is admitted on behalf of the Bank, that the three workmen were replaced by others. It is stated before me by Shri T. N. K. Nayar, the representative of the Bank, that, in place of Shri R. S. Mani, Shri Vira Raghavan was appointed, that Shri G. Vilvapathi was appointed in place of Shri Kuppaswami, and Shri Tirunavakkarasu in place of Shri Srinivasan. It is however pointed out on behalf of the Bank that the three petitioners have found alternative employment. In I.D. No. 155 of 1961, Ext. M/1 has been filed to show, that Shri R. S. Mani joined The K.C.P. Limited on 9th March, 1961 on a basic pay of Rs. 50 per month in the scale 50-5-75. In I.D. No. 156 of 1961 Ext. M/1 establishes, that Shri Kuppaswami has been working with Khandelwal Brothers with effect from 1st May, 1961, on a basic salary of Rs. 90 per month. In I.D. No. 157 of 1961 Ext. M/1 is a letter dated 14th July, 1961, written by Indo Metal Industries, that Shri M. M. Srinivasan was in their employment from 20th February, 1961 on a monthly salary of Rs. 100. Granting, that other persons were appointed in place of the three petitioners, it cannot be held, that the termination of service of the workmen is unlawful, or that it should be set aside. Such termination is in accordance with the terms and conditions of the orders of appointment. The principles laid down in the decision of the Supreme Court in *Rohas Industries Limited* (1956 LAC 791) are applicable. It was held therein, that under the terms of employment, temporary employees even if they enjoyed some of the benefits of permanent employees, that fact did not make them permanent, and that even if they were employed in the Production Department for sometime, that did not make them permanent. It was further held therein, that no industrial tribunal can ignore altogether the existing agreements, or obligations for no rhyme or reason whatever. There are no circumstances made out for holding, that the termination of service in all the three-petitions now in question is anything, but *bona fide*. There are no grounds for holding, that the termination is arbitrary, or capricious, or that it amounts to unfair labour practice. I find, that the orders of termination of service are lawful, and that they cannot be set aside.

Issues No. 1 and 2 in all the three petitions.

21. The objection raised, that the petitions are not maintainable, has not been argued and pressed before me on behalf of the Bank. I find, that the petitions are maintainable.

Issue No. 5 in all the three petitions.

22. However, in view of my findings, that the orders of termination of service are lawful, and that the same cannot be set aside, the three petitioners are not entitled to any relief.

23. In the result, all the three petitions are dismissed. There will be no order as to costs.

24. An award is passed in each of these petitions in the manner stated above.
(Ten pages)

The 21st August, 1961.

(Sd.) E. KRISHNA MURTI,
CENTRAL GOVERNMENT LABOUR COURT, DELHI.
[No. 55(14)/61-LRIV.]

ORDERS

New Delhi, the 13th September 1961

S.O. 2300.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Martin's Light Railways, Calcutta and their workmen in the headquarters Office in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Central Government hereby constitutes an Industrial Tribunal with Shri S. N. Guha Roy, as the Presiding Officer, with headquarters at Calcutta, and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

- (1) Whether the demand of workmen that they be treated as part of the Managing Agent's staff is justified;
- (2) If not, how far their demand for enhancement of pay scales, Dearness Allowance and the rate of Puja Bonus is justified?

[No. 2/4/61-LRIV.]

New Delhi, the 18th September 1961

S.O. 2301.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Co-operative Assurance Company Limited, Amritsar and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refer the said dispute for adjudication to the Industrial Tribunal, Delhi constituted under section 7A of the said Act.

SCHEDULE

1. (i) Scales of pay; method of adjustment in the scales of pay.
(ii) Dearness Allowance.
(iii) House Rent Allowance.
(iv) Leave rules.
(v) Hours of work and overtime.

- (vi) Medical aid and expenses.
- (vii) Provident Fund.
- (viii) Gratuity.
- (ix) Age of retirement.

2. Whether the management is justified in reducing the salaries, increasing the working hours and withdrawing the benefits of medical aid and gratuity on the termination of the award of the Industrial Tribunal, Dhanbad, published in the Gazette of India, Part II, Section 3, on the 8th May, 1954, with S.R.O. 1526 and if not, to what relief the employees are entitled?

[No. 70(11)/61-LRIV.]

G. JAGANNATHAN, Under Secy.

New Delhi, the 15th September 1961

S.O. 2302.—In exercise of the powers conferred by sub-regulation (1) of regulation 11 of the Coal Mines Regulations, 1957, the Central Government hereby appoints Shri R. H. Fairbank, Chief Mining Engineer of M/s. Lodna Colliery Company (1920) Ltd., Sripur Colliery, P.O. Kalipahari, District Burdwan, as a member of the Board of Mining Examinations for a term of three years with effect from the 6th January, 1962, *vice* Shri G.W. Hogg.

2. It is hereby notified for general information that the Board of Mining Examinations will consist as from the 6th January, 1962, of the following persons who have been appointed by the Central Government as Chairman, and members thereof, from the dates shown against each, namely:—

Chairman (ex-officio)

1. Shri G. S. Jabbi, Chief Inspector of Mines.

Members

2. Shri R. M. Fairbank—6-1-1962.
3. Shri F. G. Massmann—Re-appointed with effect from 8-5-1960.
4. Shri B. C. Shah—Re-appointed with effect from 26-5-1960.
5. Shri S. N. Sehgal—1-7-1961.

[No. 3/10/61-M.I.]

A. P. VEERA RAGHAVAN, Under Secy.

New Delhi, the 16th September, 1961

S.O. 2303.—In exercise of the powers conferred by sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following amendments in the Schedule to the notification of the Government of India in the Ministry of Labour No. S.R.O. 623, dated the 28th February, 1957, namely:—

In the said Schedule—

(1) in Part II—General Central Service, Class III, after the entries relating to the Office of the Industrial Tribunal, Dhanbad, the following entries shall be inserted, namely:—

1	2	3	4	5
<i>Office of the Industrial Tribunal Bombay</i>				
All Posts . . .	Presiding Officer, Industrial Tribunal, Bombay.	Presiding Officer, Industrial Tribunal. Bombay	All	Secretary, Ministry of Labour and Employment.

(2) In Part III—General Central Service, Class IV after the entries relating to the Office of the Industrial Tribunal, Dhanbad, the following entries shall be inserted, namely:—

1	2	3	4	5
All Posts	<i>Office of the Industrial Tribunal Bombay.</i>			
	Presiding Officer, Industrial Tribunal, Bombay.	Presiding Officer Industrial Tribunal, Bombay.	All	Secretary, Ministry of Labour and Employment

[No. F. 29(12)/61-LR. III.]

SHAH AZIZ AHMAD, Dy. Secy.

New Delhi, the 16th September, 1961

S.O. 2304.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952, (19 of 1952), the Central Government hereby appoints Sarvashri S. C. Bose and D. K. Bhattacharjee to be Inspectors for the whole of the State of West Bengal for the purposes of the said Act, and of any scheme framed thereunder, in relation to an establishment belonging to or under the control of the Central Government or in relation to an establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry.

[No. 20(8)/61-PF-I.]

New Delhi, the 18th September 1961

S.O. 2305.—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st October, 1956, to the factory known as Messrs Hyderabad Chemicals and Pharmaceuticals Works, Limited, Hyderabad, there was in existence a provident fund common to the employees employed in the factory to which the said Act applies and the employees in its Head Office specified in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the aforesaid Head Office.

SCHEDULE

Head Office of Messrs. Hyderabad Chemicals and Pharmaceuticals Works, Limited, Hyderabad.

[No. PF.II-8(103)/59.]

S.O. 2306/PWA/Sec./7(2)(6)/61.—In pursuance of clause (e) of sub-section (2) of section 7, read with section 24, of the Payment of Wages Act, 1936, (4 of 1936), the Central Government hereby authorises deductions from the wages of employees of all coal-mines for the supply of uniforms in terms of para 824 of the Award of the All India Industrial Tribunal (Colliery Disputes). The deductions shall be subject to the following conditions hereby imposed under section 11, of the said Act, namely:—

- (i) that no deductions shall be made from the wages of an employed person unless he has communicated his acceptance in writing to the deductions, such acceptance being given once generally and not necessarily on each occasion a deduction is made;
- (ii) that the employer will recover from the employees only 50 per cent. of the cost of the uniforms supplied to them in easy instalments and the amount of each instalment shall not exceed Rs. 3 in the case of a weekly paid employee or Rs. 12, in the case of a monthly paid employee; and
- (iii) that all deductions shall be shown in a separate column of the Wage Register required to be maintained by the employer under the Payment of Wages (Mines) Rules, 1956.

[No. 540(53)/61-Fac.]

P. D. GAIHA, Under Secy.

New Delhi, the 16th September, 1961

S.O. 2307.—The Government of the State of Madras having nominated, in exercise of the powers conferred by clause (a) of section 4 of the Employees' State Insurance Act, 1948, (34 of 1948), Shri R. Tirumalai, Additional Secretary to the Government of Madras, Industries, Labour and Co-operation Department, as a member of the Employees' State Insurance Corporation, in place of Shri P. V. Viswanathan, the Central Government, in pursuance of the said section 4, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour and Employment No. HI-1(196)/57, dated the 15th March, 1958, namely:—

In the said notification, under the heading 'Members', under the sub-heading '[Nominated by the State Governments under clause (d) of section 4]', for item 12, the following shall be substituted, namely:—

"12. Shri R. Tirumalai,
Additional Secretary to the Government of Madras,
Industries, Labour and Co-operation Department,
Madras".

[No. F. 1(41)/61-HI.]

S.O. 2308.—In exercise of the powers conferred by section 90 of the Employees' State Insurance Act, 1948, (34 of 1948), the Central Government hereby exempts each of the undermentioned factories belonging to the Central Public Works Department under the Ministry of Works, Housing and Supply from all the provisions of the said Act, for a further period of six months with effect from the 14th September, 1961:—

1. The Electric Fans, Motors and Appliances Repair Shop, Barakhamba Road, New Delhi.
2. The Horticultural Tools and Implements Repairs Shop, New Delhi.
3. The Auto and General Repairs and General Machine Shop and Foundry, American Warc House, Factory Road, New Delhi.
4. The Desert Cooler, Refrigerator, Air Conditioning and Electric Repair Workshop, Barakhamba Road, New Delhi.

2. This notification shall be deemed to have come into force with effect on and from the 14th September, 1961.

[No. F. 6(51)/61-HI.]

New Delhi, the 18th September, 1961

S.O. 2309.—In exercise of the powers conferred by sub-section (3) of Section 5 of the Tea Districts Emigrant Labour Act, 1932 (22 of 1932), the Central Government hereby appoints the 1st October, 1961, as the date on which the provisions of the said Section in respect of the entry into Assam of each assisted emigrant shall be rupees nine for the year commencing on the 1st October, 1961 and ending on the 30th September, 1962.

[No. F. RL-21(2)/61.]

New Delhi, the 19th September 1961

S.O. 2310.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st October, 1961, as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) of section 78 and sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas of the State of Madras, namely:—

I. The areas within the limits of the revenue villages of:—

- (a) Adambakkam;
- (b) St. Thomas Mount;
- (c) Nandambakkam; and
- (d) Velacheri

In Saldapet taluk, Chingleput district.

II. (A) Areas comprised within the limits of the revenue villages in Dindigul town.

(B) The areas within the limits of the revenue villages of:—

- (a) Adlanuthu;
- (b) Pillayaranatham;
- (c) Chettinackinpatti;
- (d) Alamarathupatti;
- (e) Pallapatti; and
- (f) Kurumbapatti

in Dindigul taluk, Madurai district.

[No. F. 13(9)/61-HI.]

ORDER

New Delhi, the 16th September, 1961

S.O. 2311.—In exercise of the powers conferred by section 73-F, of the Employees' State Insurance Act, 1948, (34 of 1948), the Central Government hereby exempts, for a further period of one year with effect from the 1st October, 1961, from the payment of the employer's special contribution under Chapter V-A, of the said Act, every factory—

(a) which is exclusively engaged in one or more of the manufacturing processes specified in column 1 of the Table annexed hereto or any other manufacturing process which is incidental to, or connected with, any of the aforesaid processes or in any other manufacturing process carried on in a seasonal factory of the nature referred to in clause (12) of section 2 of the said Act; and

(b) which is situated in any area specified in the corresponding entry in column 2, of the said Table,

subject to the condition, if any, specified in the corresponding entry in column 3 of the said Table.

TABLE

Name of the manufacturing process			Area where situated	Conditions
1			2	3
1. Redrying tobacco	unmanufactured	leaf	Whole in India except the State of Jammu and Kashmir	
2. Rice Milling	.	.	Do.	Provided that the process of oil milling is subsidiary to any other manufacturing process which is seasonal and so long as the number of employees engaged in oil milling is less than fifty.
3. Cold Storage	.	.	Do.	
4. Salt manufacture	.	.	Do.	
5. Oil Mills	.	.	Do.	
6. Ice manufacture	.	.	The States of Punjab, Uttar Pradesh, Rajasthan, Madhya Pradesh, Bihar and Andhra Pradesh and the Union Territories of Delhi and Himachal Pradesh.	

[No. 6(54)/61-HI.]

BALWANT SINGH, Under Secy.

New Delhi, the 18th September 1961

S.O. 2312.—In exercise of the powers conferred by sub-section (1) of section 3, read with section 4 and sub-section (2) of section 5 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government, after considering the advice of the Committee appointed under sub-section (1) of section 5 of the said Act, hereby fixes minimum rates of wages payable to the employees specified in the Annexure and directs that this notification shall come into force on and from the 25th September, 1961.

ANNEXURE

Initial fixation of minimum rates of wages for certain categories of agricultural employees employed in the National Dairy Research Institute, Karnal, Punjab.

<i>Categories of employees</i>	<i>All inclusive minimum rates of wages per day</i>
1. Fitter	Rs. 4.50 nP.
2. Mechanic/Plumber	Rs. 4.50 nP.
3. Painter	Rs. 4.00 nP.
4. Oilman	Rs. 2.50 nP.
5. Hostel Attendant	Rs. 2.00 nP.
6. Blacksmith	Rs. 4.00 nP.
7. Tractor Driver	Rs. 4.50 nP.
8. Carpenter	Rs. 4.50 nP.
9. Mason	Rs. 4.50 nP.
10. Boilerman	Rs. 4.50 nP.

[No. LWI(I)6(8)/61.]

K. D. HAJELA, Under Secy.

ORDER

New Delhi, the 16th September, 1961.

S.O. 2313.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Dutta's Central Kajora Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE.

Whether the management of Dutta's Central Kajora Colliery are justified in refusing to reinstate the following workers of that Colliery whose work ceased from 12th June, 1961, and if not, to what relief they are entitled:—

1. Shri Muraram Bagdi.
2. Shri Kala Sona Bagdi.
3. Shri Bhakti Bagdi.
4. Shri Fakir Bagdi.
5. Shri Sudhir Bagdi.
6. Shri Bacha Rauth.
7. Shri Dharamnath Rauth.
8. Shri Buna Muchi.

[No. 2/168/61-LRUI.]

A. L. HANDA, Under Secy.

